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THE CHANGING PATTERN OF PUBLIC POLICY FORMATION

ERNEST S. GRIFFITH
Director, Legislative Reference Service, Library of Congress

Change is the order of today, and the nightmare or the hope of tomorrow. For better or worse, the orbit of public policy is ever widening in all nations and in international organization as well. With its widening have come profound changes in the methods of policy formation; so much so that the normal vocabulary and thought patterns of the lawyer, and even of the political scientist, are among the chief obstacles to its understanding.

In the article that follows there are considered, first, the changes in the over-all culture of which public policy formation is a part; and, then, and only then, the more precise changes in policy formation itself.

I

Laws were once the typical expression of public policy. In this, their one-time characteristic rôle, they are now dying or dead, however reluctant many of our national leaders are to read the obituary column. Our so-called statesmen choose rather to live still in a world of dreams in which nostalgia for the days of a government of laws blinds them to the changed and paramount contemporary characteristic of government, which is *organization to attain objectives*. In the strict sense of the term, a law is a general rule of conduct. But today government consists largely, not of these general rules, but of continuous intervention—intervention by men in the relations between groups. The changing pattern of public policy formation is understandable only as change induced by this drastic alteration which lies at the very heart of the nature of government. Nor is this change confined to the change from laws to continuous intervention. The concept of policy is itself changing from the solution of problems to the attainment of national objectives, or even a single national objective. Intervention is now not so much directed to a series of ends, but to one supreme end—the winning of the war. Even when peace comes, there are signs that a similar unifying end—in this case, full employment—will play a similarly dominant rôle in public policy. If some value or objective does become dominant, problems and their solution will be in the light of it. They become parts to be integrated—not, as before the war, discrete or dispersive policies to be pursued without reference to one another.

This, in turn, is part of a still larger underlying hypothesis to the effect that we are witnessing the emergence of a new cultural synthesis whose magnitude or importance is comparable to the eras of feudalism or mercantilism or liberalism. The new pattern of public policy formation is a sector of this synthesis. To appraise its place in the scheme of things, let us picture first the old, fairly stable cultural order; secondly, the pattern of transition; and finally, the new age, the main elements of whose architecture are even now visible. A schematic presentation will help to make this clear. (See chart on next page.)

Let us first read each column from the top down.

By the past is meant the pattern of the Nineteenth Century, especially in England and the United States. Its sectors are sufficiently familiar to need little or no explanation. Their relationships have been thoroughly explored, and all too often over-simplified. Nevertheless, they did and do "hang together." In the main, they constitute a logical whole—whether we think of the most characteristic aspect of the period as individualism, the police state, the law of supply and demand, the rule of law, private property, or individual rights. Public policy emerged largely from parliamentary and congressional leadership—to be molded in the matrix of common and constitutional law by the judiciary, or to work itself out in foreign policy by diplomacy, imperialism, and war. Toward the end of the period there was occasional evidence of bureaucratic ascendancy, but this was little appreciated or understood.

The next sounding lies in the years immediately preceding the present war. By this time, not only was the old order obviously disintegrating, but foreshadowings of the new were already with us. Even though a transitional period, it still possessed a rough and ready underlying synthesis centering around the power group

THE TRANSITION IN CULTURE PATTERNS

THE PAST	THE IMMEDIATE PRE-WAR PERIOD	THE WAR AND THE FUTURE
	(The disintegrating old and the emerging new)	
Technology		
Multiplying independent productive units	Varying degrees of roundaboutness	“Technocracy”
	Assembly lines, etc.	Full productivity
Economics		
Atomistic economy	Mixed economy with centers of power	Integral economy
Market price—self-adjusting	Price distortions—administered and free zones	Administered prices
International free trade	Trade controls—bilateralism	Autarchy-National planning
Economic unit as self-interest	Widening concept of a “public utility”	Economic unit as function
Property as ownership	Changing nature of what constitutes property; ownership to control	Property as trusteeship
Philosophy		
Individualism (Utilitarian)	Group utilitarianism	Social policy dominant (not defined)
Liberalism	Pragmatism	Christianity, Nationalism, Communism
Emphasis on rights	Humanitarianism—War (i.e., palliative or escape emotional situations)	Emphasis on duties (i.e., sacrifice)
Government		
Legislature and judiciary characteristic institutions	Executive and political leader characteristic	Planning boards
Jacksonian democracy Local self-government	Government by whirlpools	Corporatism
Law		
Generalized decrees (government of laws)	Façades, rituals—the period of the “quasi” and the commission	Specialized orders (government of men)
Civil and criminal law paramount	Undue stretching of civil and criminal concepts (sociological jurisprudence)	Adjustment
Precedent—as basis for decisions	Rationalizations in decisions	Research as basis for decisions

as its most characteristic feature. This expressed itself in dispersiveness in government, in disorganized pluralism, in an emphasis upon unrelated group activity. It was not really a workable order, as its widespread unemployment and international ill-will and war bore witness. Virtually all major elements of the past had by the 1930's undergone profound change, even though the symbols and rituals of this past continued to be emotionally defended as well as generally retained in conversation and writings. The assembly line and large-scale production had brought centers of power in industry and labor. These centers of power expressed themselves in those rigidities of price and wage which shattered the old economic integration by the law of supply and demand. The concept of property as ownership became increasingly irrelevant. Power as control took its place as the economic factor of paramount importance. The prejudices and demands of economic groups were the political insistences which constituted the chief stimulus to governmental action. The operative political philosophy was a kind of neo-Benthamism, a group utilitarianism which acted as though it believed that if each group pursued and was granted the attainment of its own particular interests, the common good would somehow result. The vocal philosophies were a crude pragmatism—which saw each problem as one to be solved singly, with little or no reference to its secondary effects—or a humanitarianism which built up palliatives for the wreckage which group utilitarianism left behind it—palliatives the chief expression of which was perhaps that confession of the warmth of man's heart, but the bankruptcy of his intellect, to wit, unemployment insurance. Each group found its legislative spokesmen; its insistences found their ultimate governmental expression in the creation of a department, an agency, or a commission designed to exercise regulatory continuous intervention in its behalf; or occasionally, if two groups were clashing, in an arbitrating or regulatory agency. The groups, together with their legislative spokesmen and administrative agents became so many separate centers of policy formation—and "government by whirlpools" prevailed. Any compatibility between the programs of groups or their governmental expression was purely accidental. Behind the rituals and façades of the "quasi" and "administrative law" lay the political realities of governmental intervention in group warfare.

Long before the war gave their utterances richer meaning, there were those who perceived the nature of the difficulty and the impermanence of any social and economic order so brittle. In a sense, fascism and hyper-nationalism were man's non-rational answer to states and societies rent in pieces by unintegrated group struggle.

It remained for the war to bring the necessary shape of the cultural synthesis of the future into clear perspective. An integral economy, with each economic group functional in its ultimate nature, property and control, the economy's trustees, and the community's objectives dominant—these were not war products alone; these were of the essence of the shape of things to come. Only the philosophies that would recognize this fact would survive; only the institutions which could serve its ends would flourish.

If the problem be that of integrating groups toward the common objective—whether that objective be the winning of the war or subsequent full employment, then continuous intervention of some sort as between groups and over-all groups becomes necessary. The conflicts between the uncoördinated power groups were total failures in making things tick. Adjustment as the continuous regulation of inter-group action became the order of the day; research or the intelligence function, the basis for governmental policies; planning, a characteristic activity. Government and economics converge into a new political economy in which the political scientist's study of power, the administrator's science of organization, the sociologist's knowledge of group behavior, and the economist's mastery of statistical prognosis become fused.

Let us next read *across* the chart.

The trends in technology and industrial organization are unmistakable. Large-scale production and concentration of control reveal continuous growth. The atomistic economy not only gives place to the mixed economy, but in nation after nation (including our own) the economy enters a further stage of development as it is integrated around a central purpose. Either by corporate and cartel and trade union action or by government intervention, all but a minor fraction of prices come to be administered. Under such circumstances, what then are the respective spheres of, or even the distinction between, public policy and private policy? If, through patent pools or other devices, it becomes possible for the price of glass to be fixed by private agreement, does this become public policy only when the government freezes it "for the duration?" Does the political pressure of the "private" farm groups become public policy only when their definition of parity is written into law and administration?

Moreover, the break-down of the all but forgotten London Economic Conference evidences something more than merely a blind hyper-nationalism. Chiefly it indicates that the all but universal national economic planning cannot leave footloose a sector as vitally important as that of international trade. Autarchy in the literal sense of the word is likely to be impossible of attainment; but autarchy as a slogan or ideal plus national control of the international trade that remains is almost a corollary of national planning. The old self-interest concept, even though tempered with an increasingly wide interpretation of what constitutes a "public utility," is doomed as it becomes apparent that an integral economy requires that each economic unit be thought of as function. Moreover, the utilitarianisms—first, individual, and then group, with their dispersive freedoms—yield before the necessity of integration. This necessity in its turn postulates a unified over-all social or public policy. Only the philosophies whose paramount emphasis is upon duty are compatible with or have survival value in such a situation, for individuals and groups alike must coöperate willingly or otherwise to attain the common end. Parenthetically, if this reasoning be valid, that liberty which for a time was a useful culture trait is in grave danger unless a philosophy is adopted which holds that liberty as well as duty is an absolute—such, for example, as Christianity. Nazism, Fascism, and Communism did not so hold it, and liberty did not survive their onslaught.

In those governments of industrialized states, in all of which leadership and effective policy formation have already largely slipped from the hands of the legislature and the judiciary to the chief of the state, a further transition is evident—this time from the chief of state to the technician or expert. The "planning board" takes over, whether we call it the Gosplan or the War Production Board. If there is to be deconcentration of such planning, in order to avoid some central Frankenstein, it bids fair to assume the shape, not primarily of geographic local self-government, but of a corporatism or economic self-government—democratic or otherwise. In this connection, it is interesting to note that Herbert Morrison, high in British Labor party circles, calls, not for socialization of cartels, but for their control by boards with interest representation of capital, labor, consumer, and government.

The old civil and criminal law, the very laws themselves, after straining at the straight-jacket of the "quasi," finally have burst their bonds; and specialized orders—allocations, price regulations, wage awards—signalize continuous intervention in the adjustment of group interests and conflicts. The precedent of the court gives way to the research of the economist as the basis for governmental decision.

But is this not for the war only? Knowing the deep-seated yearning for the "good old days" that pervades our electorate, it is to be expected that there will be an attempt at reversal of the many aforementioned trends with the coming of peace. Yet the lesson will not and cannot be wholly lost that, by this new type of government, unemployment was abolished; and, even with half of our production and ten million other men in the armed services devoted to war, the standard of living of our people has been raised. I doubt if ten million unemployed for ten years will ever again be tolerated. It certainly should not be.

All this may be strangely unfamiliar and disturbing. There seem to be almost no reassuring landmarks through it all. If the problem and function of the state are to provide the organizing, integrating factor for its economic community in order to permit its full operation and to call a halt to the terrible price of group conflicts, then a new vocabulary is needed in talking about government. The making, enforcing, and interpreting of laws are no longer its characteristic activities. Rather do we find the state engaged in the adoption of objectives and in the research, planning, and adjustment or continuous intervention necessary to carry them out. Pervading these operations is always the interplay of leadership and popular opinion. In this interplay, and in the contributions made by governmental research or intelligence, lies the core of the changing pattern of public policy formation. Here objectives are studied, debated, and chosen; here the means to attain them are decided upon.

The question of objectives is all-important. So long as we lived in an individualistic climate of opinion, it seldom occurred to people that government as such should have any general or over-all objectives, save possibly in the field of foreign policy—unless one includes as an objective freedom for industrial development through governmental non-intervention. The same could not be said as regards limited or special objectives, for in the United States and in England there were always special groups wishing government to make their private objectives its own. By 1940, this latter type of governmental activity had grown enormously, so much so that the special groups had virtually superseded individuals as the extra-governmental source of public policy. Except where one government agency with one clientele opposed another agency with a clashing clientele, there were few agencies of the government that offered any really effective resistance to group pressures, or effectively urged alternative policies incorporating the public interest. Perhaps the Securities and Exchange Commission may be regarded as a conspicuous exception. Such a situation produced the dispersive state in our own country, a state whose public policy revealed a striking similarity to the internal contradictions and inability to deal adequately with unemployment and frustration which preceded the coming of dictatorships on the European Continent. At the door of this dispersive state can be laid the chronic depression from 1929 to the coming of the war.

The change which the war brought was miraculous. Disparate purposes were welded into one under governmental directives. Business, labor, agriculture—all were set to work to make their respective contributions. One control after another was interposed, and the increase in government intervention, adjustment, and integration became continuous. Fabulous research and planning divisions were set up in all the war agencies. Congress occupied the dual rôle of a cheering section and a gadfly. In the former capacity, it voted billions; in the latter, it passed in review (notably in the Truman Committee) the various shortcomings of the war effort and apparently forced change after change. But now with the post-war world looming on the horizon, its rôle as a cheering section is muted, and even major objectives (as well as means) of the executive are vigorously questioned.

If full employment as the overriding objective in the post-war world can capture the popular imagination—and it may well do so—there is a genuine possibility that this objective of full employment may play the part of paramount integrater now played by the winning of the war, though doubtless with more imperfections. The inward nature of the problems to be faced in policy-formation will not be greatly different. The conflicting power groups will pull and tug for advantage. In so far as the definition of advantage tends to imply, on the part of industry, labor, agriculture, and the professions alike, some form or other of administered scarcity, the corrective of the "public interest" will obviously be needed. Otherwise, full employment would appear remote.

One may be justified in viewing with very deep concern the apparently logical outcome of this line of reasoning. Theoretically, it appears to call for the indefinite multiplication of regulating boards and commissions, each with a research staff, until the seven hundred or more code authorities of the National Recovery Administration days are re-created with enhanced powers. It may be doubted whether such an inflated bureaucracy would be tolerated politically, even if it could be made to work effectively administratively, which may be questioned. The political pressures would be terrific, as they are today in similar situations in the Office of Price Administration and the War Production Board, which furnish the closest current parallel.

It is at this point that some form of "corporatism" may enter the picture as an alternative. By judicious choice and weighting of interests to be represented, functional authorities could be created experimentally in three or four industries so that the resultant policy decisions as to price, output, quality, labor conditions, would not be greatly different from those which would have emerged from supply and demand in a competitive order. The important thing would be to grant majority representation to those groups with a stake in maximum output and low unit profit. With such representation, the need for over-all administrative integration would be greatly minimized, although some central board of strategy or planning would obviously be needed.

It must be admitted that such overt recognition of the corporative principle is not to be expected immediately in the United States. There must first of all be recognition of the functional nature itself of an industry. In other words, we must sharpen the perception already implicit in our vocabulary that steel, transportation, banking, milk, amusements, textiles, are integral parts of our national life, and that our national life is weakened unless each part actually performs its full function. Incidentally, this failure to operate fully, this "conscientious withholding of efficiency," is probably the most serious weakness in the whole capitalist system. Few, if any, would argue that the productive capacities of communism are superior to those of capitalism, if and when the latter functions at full capacity—as, for example, it is now doing. The verdict is far less certain if the comparison is made between a fully functioning communism and the capitalism of the 1930's, during which decade it is by now apparent that the functioning of the democratic capitalist states of Europe and North America averaged scarcely sixty per cent of potential. Under any restoration of such a state of affairs, it is not unlikely that in another ten or twenty years the Russian standard of living might exceed that of any European nation and be rivaling our own. The centripetal pull of such an achievement upon the frustrated millions on the European Continent can scarcely be exaggerated. On the other hand, if we in the United States can so organize our own economy as to approximate in peace-time our achievements of war-time, the pull will be the other way, and our own business men need not lie awake nights.

To integrate or functionalize an industry, in essence, is not—as some business men fondly suppose—merely to vest power in a trade association or cartel to "rationalize" the given industry. There is no surer way to perpetuate the economy of scarcity and chronic unemployment. Nor is it enough to "democratize" the control by the addition of labor representation—even equal labor representation—to the board or association which forms the policy. The history of such efforts has far too frequently demonstrated that labor, in return for high wages, will reinforce the employer's monopolistic pricing policies, and hence perpetuate the economy of scarcity.

If corporatism rather than government regulation is the path chosen, the obvious answer is so to constitute the governing body or functional authority for each industry that a majority of its members will have their primary stake in what has been defined as the "public interest" or the "national objective." If this be maximum production at low unit profits and prices, then a majority of the membership must come from groups such as producers of raw materials, consumers (including other businesses), the government, and perhaps even the unemployed who would find employment under a program of increased production. The majority would presumably also be composed of those committed to the survival of private enterprise and the capitalist system, so as to avoid confiscatory tendencies. An ancillary device is to give the governing body a secretariat with full right of access to the books of the businesses affected. The resultant publicity, in and of itself, would be a mighty force in the direction of compelling groups to justify their conduct in the light of the over-all objectives, the attainment of which constitutes the public interest.

Much of this discussion is, to say the least, premature. Institutionally, there is lag as well as adaptation, and the public discussion (as distinct from the realities) is, for the most part, couched in terms of the Nineteenth Century, or even earlier.

II

In American terms and among American institutions, what is this changing pattern of policy-formation? May I speak first of the Congress? Congress does not yield its deeper usages or its more subtle *mores* to the casual observer. Even after three years of close observation, the writer claims little more than the beginning of an understanding.

Some things may be said. Congress, in its procedures, usages, and overt activity, bears witness to the transition already mentioned. Sometimes there is an almost futile attempt to write details into law; at other times there are only a declaration of an objective (under legal rituals) and the authorization of an agency to realize the objective by effecting the necessary adjustments among our economic groups. Leadership follows no one pattern. Sometimes it emanates from committees, but more often from the executive. Apart from the winning of the war, there are few signs of an over-all goal before which subsidiary, but conflicting, objectives must yield. "Government by whirlpools" continues, even during the war, albeit with muted vehemence. The economic groups and interests are liberally and sincerely represented in the personnel of the Congressional committees whose activities chiefly affect them. The tradition of trusting a committee is strong, usually to be overridden only when, as in the case of the House Committee on Labor, the committee is out of tune with the dominant mood of the House as a whole.

The research or intelligence which accompanies Congressional deliberation deserves study. For the most part, the reluctance of Congress to implement its deliberations with research of its own is notorious. One result has been a very considerable degree of dependence upon the research and planning emanating from the executive. The obvious manifestation of this dependence is found in the appearance before appropriate committees of representatives of the executive, together with the custom in many committees of routing all seriously considered proposals to the executive departments affected for comment and criticism. Less known is the tendency somewhat surreptitiously to borrow positions or full-time persons from executive departments to assist in committee research. These relationships are mentioned in by no means a critical temper. They have much to do with the approximation to British or parliamentary usage of much of our government, and share certain of its advantages. They do, however, reveal weaknesses which appear in more striking fashion in the British system. Research in the executive has many strengths, but it also has certain limitations as well. Publicly, such research can scarcely take issue with a politically assumed position of the President or Prime Minister. Moreover, departments and agencies almost of necessity, if they believe in themselves, will seek to expand—and recommendations will follow accordingly. Finally, they hate to admit mistakes, even to themselves, and bureaucratic rut may result.

Congress, therefore, seeks in increasing measure its own research staff aids, and will, I predict, seek to develop them still further. Not to mention the Legislative Reference Service, concerning which my objectivity might be somewhat suspect, one should note the staff of the Joint Committee on Internal Revenue, the newly acquired staffs of the appropriation committees, and of the numerous special committees. Always, however, there is the danger that such staffs will be tempted to differ with the executive in order to justify their independent existence. In such an event, there may be danger of a further enhancement of the conflicts inherent in separation of powers. Some people have attributed the feud or gulf between the Treasury and the Ways and Means and Finance Committees primarily to this factor.

As regards policy formation, the special committees or the special investigations by standing committees with their own staffs often represent a desire to break away from dependence upon executive fact-finding, as much as a desire to investigate or harass the executive. Moreover, in a curious sort of way, the special committee is an adaptation to or corrective of the seniority rule in standing committee chairmanships. It provides a vehicle for genuine leadership on the part of members (usually third or fourth or fifth-termers in the House and second or third-termers in the Senate) whose abilities are frustrated in the normal committee chairman sequence.

It must never be lost sight of that, with all its faults, Congress is a not inaccurate mirror of the more articulate and insistent opinions of the complex group and sectional pattern of our public opinion. In its own way it is also a guardian—better than the Supreme Court, I fear—of that remaining vitality in state and local political action which needs freedom from both coercion by law and purchase by grants-in-aid to survive. If it could work out a more effective method, not merely to compromise between economic groups, but also to provide means to integrate these same groups in some decentralized fashion, it would make thereby a major contribution toward arresting the onward march of national executive dominance in policy formation.

One final word before leaving the consideration of Congress. It has been popular in administrative and academic circles to decry what appear to be arbitrary and irrational Congressional moves against the public relations and other activities in the executive departments, especially those which look toward informing the public as to programs so as to lay the necessary foundation for coöperation and support. Some of these moves have taken the form of demands or orders to remove officials. What is the inner meaning of these efforts? I do not wholly understand them. In part, they are accounted for by the realization that, since public policy determination has to a great extent shifted to these executive departments, and since one of their chief weapons in obtaining and retaining popular support is their control of the press releases as well as the research and day-to-day field contacts of the action programs which they administer, in the last analysis, the men chosen in the departments will determine the tone and direction of these releases, research, and contacts. Therefore, Congress deems it within its right, not only to lessen the opportunity for such influencing of opinion, but also to control the type of man to be chosen.

The new orientation of governmental processes comes to its full flowering in the executive branch. The President and the departments and agencies both lead public opinion and are influenced by it. For each agency has its own clientele, largely drawn from the groups whose pressures were often instrumental in the agency's creation. The trilogy of the pressure group, the agency, and the appropriate Congressional committee often constitutes the "whirlpool" characteristic of our government. Within this whirlpool lie the research and planning which, with or without specific Congressional sanction, eventually emerge in a regulatory or action program. Here and there, elements of a potential corporatism may be detected, in formal and informal advisory committees, or even in the selection of representatives of interests to serve on the board or commission. In the combination of research, experience, and pressure lies the genesis of public policy.

But this is chiefly a dispersive type of policy-formation. Of the genesis and effectiveness of the adoption and pursuit of *over-all* objectives or values, one is much less certain. Congress has no over-all policy group within its own membership or institutions, unless the still relatively untried George and Colmer post-war committees prove such. For a brief moment, the Temporary National Economic Committee rose to this stature as a joint legislative-executive group, but the coming of the war sent its far-reaching program into eclipse. Perhaps its chairman, Senator O'Mahoney, may yet succeed in reviving its approach in his subcommittee on post-war industrial organization. Only time will tell.

Apparently such over-all policy is more likely to be generated, if at all, in the executive. Little centers appear here and there which give reason for hope. In the Executive Office of the President, Baruch for the post-war period and Byrnes for the winning of the war are at least potentially "ministers without portfolio" who can undertake to represent this enormously important over-all point of view. In the Bureau of the Budget, there exists in embryo another potentially coördinating vehicle, and in the Treasury the preoccupation with general fiscal policy forces very considerable general research and planning. Our foreign economic policy is potentially coördinated in the Foreign Economic Administration, ostensibly under State Department directives, although the mutability of a government agency in this field is proverbial. Perhaps of greater practical significance for the time being is the network of joint committees and liaison men who in the give and take of discussion, both formal and informal, somehow or other succeed in coördinating our war effort. For example, the war on inflation had its over-all strategy worked out in an informal session of key men from a number of agencies, who mapped out a simultaneous coördinated attack along ten or a dozen fronts at once.

Where and how will the public interest find its future expression in public policy formation? Will it look to Congress, or to the executive, and if to the latter, to what part? Will it look at all to the courts? There are two strands woven into this concept of "public interest," and they lead, I believe, in somewhat different directions. If by "public interest" we imply an over-all vision of a good society, a kingdom of God on earth, we may anticipate political development with more and more leadership centered in the President, and with the chief function of the presidential office coming to be the dramatization of over-all values or objectives and of the means whereby they are to be attained. The pattern of such an approach is clear. Government—yes, bureaucracy—thrives on such an approach. On the other hand, the delusion of the short-cut by central as distinct from local or individual initiative is its peculiar temptation, and also perhaps its worst enemy. This is the New Deal mood—if there is a problem, solve it by government, preferably by the federal government. In those nations where the over-all values have been false and the definition of public interest has been in terms of a race or class, fascism with its mood of aggressive prejudice and communism with its hatreds and its opportunistic morality have come to be the debased expression of policy-formation of this type.

The second strand in the definition of the public interest is less familiar in its articulation, more realistic in its actuality. This strand would hold the public interest to be the product of the democratic adjustment of group interests by each group participating in decisions significant to it. Down this path lies corporatism, the possibility of a decentralized operation of a pluralistic society.

In both definitions alike, the precise meaning of the "public interest" rests ultimately upon values. Both alike suffer from the danger of the group myopia which identifies group interest with general welfare—a neo-Benthamism or group utilitarianism insidious in character. Only if the values can become community values, perhaps through the reunion of operative political theory with religion and humanism, has the group a chance of becoming functional in its attitude. Then the President plays to the full his rôle of national leader; administration becomes a profession as well as a career; and Congress rises to its full stature as the democratic expression of a consecrated general will.

SOME PROBLEMS OF MILITARY GOVERNMENT

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The United States Army officially defines military government as "that form of government which is established and maintained by a belligerent by force of arms over occupied territory of the enemy and over the inhabitants thereof."[1] "It is a government imposed by force and the legality of its acts is determined by the laws of war."[2] An application of this definition in the formulation of an adequate and enlightened civil affairs policy brings many difficult problems in its train, and particularly is this true in the modern, complex organization of society and warfare.

Thrown into prominence by the war, such problems of military government at present occupy the attention not only of American political and military authorities, but also of numerous scholars and publicists.[3] That the latter should display so keen an interest in what is apparently a strictly military matter is a sign of the growing realization that solution of the problems of military government is vital for the successful prosecution of the war and for establishing the conditions which will make possible an equitable peace settlement. American public opinion, to some extent led and moulded by scholars and publicists, is unmistakably concerned with civil affairs administration of allied occupied territories across the sea and with plans for those yet to be occupied. In fact, that concern is currently running at flood-tide—perhaps more so now than ever before in our history. Now while this is a healthy sign of democratic vitality, as well as an inevitable concomitant of total war, it is not altogether an unmixed blessing, for it virtually constitutes a new problem in the field of military government. Ironically enough, that problem is not confined to areas captured from the enemy, because it exists chiefly at home. In the surcharged, emotional, war-time atmosphere, the clamor of public opinion, final arbiter in a democratic state, may actually impede the Army in its task of dealing satisfactorily with civil affairs abroad. A few words, therefore, on the history of American military governments and the powers under international law to conduct civil affairs on occupied soil may not be amiss at the present time.

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[1] *FM 27-10; Rules of Land Warfare* (Washington, D. C., 1940), p. 2, Art. 6. [Hereafter cited *FM 27-10*]. Drawn up and published by order of the Secretary of War, this manual codifies the accepted international laws of warfare as well as the customs of war, together with the American interpretation of these rules. The contents of the manual are mandatory upon American forces in the field; they can deviate from these rules only by express permission of higher political authority.

[2] *Ibid.*, p. 76, Art. 284.

[3] For example, see B. Akzin, "When Our Troops Occupy," *Harper's Magazine*, Feb., 1943; *Fortune*, "Prepare to Occupy," Feb., 1943; H. Motherwell, "Military Occupation and Then What?—AMGOT and Its Future Headaches," *Harper's Magazine*, Oct., 1943. The winter issue (1943) of the *Public Opinion Quarterly* was entirely devoted to military government problems; its fourteen articles vary greatly in quality.

I. HISTORICAL APPRAISAL

Although military governments were established by American armed forces earlier in the century, it was not until the Mexican War of 1846 that a coherent theory concerning their function was formulated.[4] Because in that period Jacksonian democratic sentiments were still widespread, both the theory then developed and its practical application in Mexico by General Scott conformed to humanitarian precepts.[5] This benevolent concept has survived for a hundred years, and, more significant, has grown increasingly stronger with the passage of time. For example, President McKinley's memorandum, written at the time of our occupation of Cuba (July 18, 1898) reads: "In the exercise of these high powers [of administration] the commander must be guided by his judgment and his experience and a high sense of justice. Our occupation should be as free from severity as possible."[6] It is now traditional that when compelled to assume control of civil affairs in an occupied region, the armed forces of the United States act strictly within the limitations imposed by international law and custom; furthermore that they interpret and temper these laws with justice and humanity in order to cause a minimum of hardship to civilian inhabitants in that area.

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[4] On early American military governments, consult D. Y. Thomas, *A History of Military Government in Newly Acquired Territory of the United States* (New York, 1904). Also see R. H. Gabriel, "American Experience with Military Government," in this REVIEW, Vol. 37, No. 3, June, 1943, for a concise account.

[5] For this salient point, I am indebted to Professor Ralph H. Gabriel, of Yale University, currently teaching in the Charlottesville School of Military Government, who emphasized its importance in a paper read before a meeting of the American Historical Association in New York City, December, 1943.

[6] J. B. Moore, *A Digest of International Law* (1906), Vol. VII, p. 261, and see following.

Faced with the reality of this hundred-year development of legality and leniency in military government administration, we may inquire whether it was due entirely and solely to the dispensations of the American democratic spirit. A close examination indicates that this is not altogether true, for impersonal factors and chance played a considerable part in fashioning this particular American military practice. In the first place, all American wars since 1846, with the exception of the Civil War, were short and culminated in relatively easy victories. This was true in 1848, in 1898, and in 1918. Under these circumstances, very little of that vengeful, embittered hate which is often the by-product of a life-and-death struggle appeared in this country during the course of war. Certainly nothing appeared which can compare in intensity with the traditional hatreds on the European continent. Moreover, American policy always distinguished carefully between the enemy government and its people; war was waged only against the opposing sovereign and armies, not against subjects and civilians.[7] Because of these factors, the United States not only was inclined to be generous, but it could easily afford to be lenient in the treatment of civilians domiciled in areas under American military occupation.[8] Notice that in the four-year Civil War, which was cruelly hard-fought, the hatreds engendered were to a degree responsible for some of the uncompromisingly severe military governments erected on ex-Confederate soil, and particularly so after the end of hostilities when the military governments fell under Congressional control.[9]

Another observation is that the United States had the good fortune to fight most of its wars during the last hundred years in areas where the inhabitants had not progressed far in developing their special brand of political nationalism. That was the case in Mexican territories in 1846, in Puerto Rico during the Spanish War; and it must be remembered that no American troops entered the German Rhineland in 1918 until after the armistice had been signed. Now this is highly significant. When the German, bent on conquest, sets his foot across the French or Russian frontier, he automatically sets off a chain of reactions which results in hatred, repression, and death. These three great Powers exist almost contiguously in an atmosphere of scarcely concealed suspicion. Each is maturely and belligerently aware of its national consciousness. The patriotic instinct of the civilians urges them to resist the German invader by sabotage, assassination, and all other possible means. To this the German replies with oppression, and so the vicious cycle runs its course. The United States has not been faced with such problems; this is another reason why our civil affairs policy *could* follow traditionally democratic lines. It should be pointed out, however, that when forced to deal with incipient nationalism in the Philippines, as represented by the Aguinaldo insurgents, the American military government cracked down hard in adjusting itself to this situation.[10]

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[7] This concept is expressed in the Doctrine Rousseau-Portales, recognized in the nineteenth century, and strongly reflected in the spirit of the Hague Regulations. Its pristine qualities have greatly deteriorated as a result of the allied "hunger-blockade" in the First World War and mass bombing techniques in the present war. These developments primarily affect combat conditions, but they influence as well the measures adopted by a hostile belligerent in occupied territory. During the last war, for instance, the Germans offered economic reprisal in retaliation for the British blockade as one of the reasons for removing machinery and tools from Belgium.

[8] Humane treatment of civilians also stemmed partially from the devotion of the ordinary soldier, and particularly the officer, to the word of the law. His origin in a common law state strengthened this tendency.

[9] See J. G. Randall, *The Civil War and Reconstruction* (New York, 1937), *passim.* The scandalous régime of General Butler in New Orleans, however, can by no means be considered typical.

A final feature which enabled the United States to maintain its enlightened concepts of military government is one that was partly shaped, partly fortuitous. When American armed forces occupied foreign soil, they frequently appeared as liberators. Of course this was not the case in all instances, but it was true of Cuba in 1898, of Dalmatia in 1918, of Sicily and Italy in 1943. This is our policy today toward the German-conquered countries of Europe and the Japanese-dominated areas in the Far East. The rôle of liberator meant much in the past, and it is to be hoped that it will mean fully as much in the future. A population that welcomes the invading forces is one that will quite readily bow to the order established by those forces, and it implies that the military government can afford to be lenient because the possibility of hostile acts against it are greatly reduced. Owing to such circumstances, a number of American military governments in the past enjoyed considerable success. In instances where the population under occupation did not regard American troops as liberators and consequently reacted adversely to military authority, strong action in civil affairs administration was necessarily employed as a counterweight. Such a situation arose in the ex-Confederate states during and after the Civil War as well as in the Philippines at the turn of the century.

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[10] See J. Hopkins and M. Alexander, *Machine-Gun Diplomacy* (New York, 1928), *passim*. Examination of military government practice in the Philippines leads to important general considerations. It appears that a case could be developed historically to show that military governments tended towards severity when operating in backward regions if the purpose was to destroy the separate political entity of the territory, and permanently to bring it under the sovereignty of the occupant. Many examples are found in the overseas expansion of European states during the latter part of the nineteenth century.

In summary, American civil affairs policy in invaded regions was conspicuously benevolent, but this benevolence tended to turn sour on occasions, specifically in the Philippines, when the exigencies of military necessity demanded recognition. It is therefore pertinent to inquire further into the relationship between military necessity and the international laws and customs of war as they affect military government.[11]

II. THE CONCEPT OF MILITARY NECESSITY

The military governor, writes Major General Allen W. Gullion, Provost Marshal General, is limited in the exercise of his functions "only by the laws and customs of war, and by such instructions as he may receive from higher authority."[12] To the cynic, the laws of war may appear simply as generally accepted usage, and lacking any higher sanction, they may be broken with impunity if reasons of state dictate. Americans have traditionally excoriated such a view, and have consistently acted in the profound belief—and fought for it—that international law is fundamentally a code of behavior with all the power of morality and legality behind it. In practice, American military governments have scrupulously observed the tenets of international law, but it is not surprising that some deviations should have occurred, particularly in the matter of controversial rules. An illustration is found in President McKinley's directive of July 18, 1898, to the Secretary of War. The occupation of Cuba by American forces, according to the President, in effect transferred Spanish sovereignty over the island to the United States. This interpretation of jurisdictional relationships ran counter to the general usage of the nineteenth century with regard to the non-impairment of sovereignty by reason of belligerent occupation.[13]

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[11] We are not concerned here with the ultimate sanction behind military government, which is political, but focus attention upon the military instrument responsible for the establishment and administration of a civil affairs policy in occupied territory. The Hague Regulations, 1907, Section III, Arts. 42–56, "On Military Authority over the Territory of the Hostile State," codify the main body of written international law on the subject. The best recent treatment of the rules and customs of war as they apply to military government is E. H. Feilchenfeld, *The International Economic Law of Belligerent Occupation* (Washington, D. C., 1942). A brief but incisive analysis may be found in C. F. Barber, "Trial of Unlawful Enemy Belligerents," *Cornell Law Quarterly*, Vol. 29, No. 1 (Sept., 1943), p. 53 ff.

[12] "Military Government," *Coast Artillery Journal*, Vol. 86, No. 2 (Mar.–Apr., 1943), p. 22.

On an elementary level, international law may be defined as those rules which have achieved approximate universality in guiding the behavior of states, and which are recognized as binding on the nations. This code is divided into two categories: written law, formalized in treaties or conventions, and unwritten law, commonly referred to as custom or usage.[14] Custom derives from a number of sources, chief among them being interpretations logically deduced from written law, the practice of governments, decisions handed down by various tribunals, and opinions generally acceptable to authorities on international law. Both the written and unwritten rules constitute international law, and as such are binding upon states, unless exempted by specific reservations. Several nations, for instance, have made Article 44 of the Hague Regulations the subject of reservations;[15] consequently, as among them, it does not possess the obligatory character of international law. International law is neither finite nor absolute, for it may at any time be modified by agreement among states; this may occur even between belligerents while hostilities are in progress.[16]

Only those rules of international law which apply to military government are of concern here. More specifically, only those rules that deal with belligerent occupation of hostile territory have bearing on this subject.[17] The primary body of formal, written law circumscribing belligerent occupation is comprised in Section III of the Hague Regulations, 1907, Articles 42–56.[18] Although both groups of belligerents violated various articles of the Hague Regulations during the first World War, particularly the rules touching upon economic matters, none of the belligerents denounced the Regulations. Hence, they have survived to the present together with interpretations and accretion of custom subsequent to 1918. This war finds them badly battered, but still undenounced.

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[13] The doctrine of unaltered sovereignty was later clearly implied in the title of Section III, Hague Regulations, 1907, which reads: On Military Authority over the Territory of the Hostile State. *FM 27-10*, pp. 73–74, Art. 273, states that occupation ". . . does not transfer the sovereignty to the occupant. . . ."

[14] See *FM 27-10*, p. 1, Art. 3.

[15] B. Akzin, *Data on Military Government in Occupied Areas*, Library of Congress, Legislative Reference Service (Washington, D. C., 1942), p. 6. Article 44 was reserved by Germany, Austria, Japan, Russia, and Montenegro (*FM 27-10*, p. 80, Art. 307). Article 44 reads: "It is forbidden a belligerent to force the population of occupied territory to furnish information about the army of the other belligerent, or about its means of defense."

[16] It was not a legal barrier, for instance, which prevented the German and British governments from reaching an accord on maritime law which was being woefully abused by U-boat warfare and the off-shore blockade in the war of 1914. The reasons were political, and dictated by military necessity.

And they are still unreformed. Compiled in the nineteenth-century atmosphere of relative security, separated by centuries—and it was assumed forever—from brutal wars of physical extermination, reflecting the preoccupation with classical economic *laissez-faire*, the Hague Regulations manifestly are insufficient guides for military government today. Collectivism in varying degrees has replaced pure Manchesterian doctrine in our world; the war of extermination is a current reality.[19] Section III of the Hague Regulations does not adequately take cognizance of changed world conditions, and this fact has a vital and direct bearing on military governments. As Feilchenfeld puts it, "when occupation practices became harsher . . . from 1914 on, many oppressive measures could be adopted without going beyond universally recognized rules of law, owing to the gaps in the Hague Regulations and their vagueness on important points."[20] Even a casual diagnosis of German civil affairs policy in occupied countries, both in the war of 1914 and in this war, testifies to the unchallenged accuracy of this statement.

Convenient loopholes which can be exploited by occupying states admittedly exist in the Hague Regulations. On the other hand, certain restrictive rules that appeared as the quintessence of human wisdom in 1907 now seem intolerable, unrealistic, and are consequently disregarded. An example may serve to illustrate the point. The Hague Regulations prohibit an occupying belligerent to adopt policies causing fundamental changes in the institutions of the occupied country.[21] In the first World War, the allies accused Germany of international delinquency because of attempted alterations in the political relationships between Flemings and Walloons then existing in Belgium.[22] Yet Russia found it expedient to sovietize the eastern half of Poland in 1939–40. Germany has placed the stamp of political and economic totalitarianism upon her satellites and conquests. It is affirmed United Nations policy to eradicate fascism in Germany and Italy. Indeed, the Allied Military Government by decree recently abolished fascism in Sicily and the occupied provinces of Italy, not entirely for reasons of military necessity, but largely as a step in the execution of a definite political strategy. Undoubtedly the Hague Regulations were violated, but it seems clear that they are incompetent rules to encompass the exigencies of the current total war and world revolution.

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[17] Belligerent occupation in the course of hostilities is only one form entailing the erection of military government. There are several other forms, such as occupation under an armistice, occupation of a neutral country by agreement, and so on. See B. Akzin, *Data on Military Government, passim.*

[18] Authorities on international law are not agreed on the precise application of the Hague Regulations to post-armistice military governments.

[19] Witness Poland.

[20] E. Feilchenfeld, *The International Economic Law of Belligerent Occupation*, p. 21.

Fixed by international convention, Section III of the Hague Regulations can be modified by agreement among states. This has not been accomplished for several reasons, inertia prominent among them. Meanwhile, a considerable body of interpretative rules on the rights and duties of occupying belligerents which stem from the Hague Regulations remain in a state of flux. Even apart from all controversial rules, it was previously indicated that the acknowledged laws and customs of war pertaining to military government are insufficient as they now exist to cope with present world conditions and modes of warfare. Speedy bombing planes, for instance, which cause devastation to the rear of the combat zone might well result in modifications of our present concepts of military government, because military necessity may make change imperative.

Nevertheless, these inadequate laws and customs are necessarily, for lack of anything more comprehensive, the immediate international regulations that give form to a military government and civil affairs policy. This grave situation elevates the concept of military necessity to a preëminent position, for by appealing to it in order to plug gaps in the law, emphasis is laid upon convenience and force rather than upon legality. In such a case, as for example certain aspects of German civil affairs policy in Poland, the evident deterioration of legality can be purified by no theoretical exegesis, however vigorous.

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[21] Hague Regulations, Section III, Art. 43. Also see F. Feilchenfeld, *op. cit.*, p. 77.
[22] *Ibid.*, p. 89.

Military necessity is one of the fundamental doctrines underlying the rules and customs of war. It is defined on the opening page of *FM 27-10* as that rule "under which, subject to the principles of humanity and chivalry, a belligerent is justified in applying any amount and any kind of force to compel the complete submission of the enemy with the least possible expenditure of time, life, and money." The Manual defines the equally important principle of chivalry as an injunction against treacherous conduct, and that of humanity as the prohibition "of any such kind or degree of violence as is not actually necessary for the purpose of the war." If one wished to chop logic, he could demonstrate that in the definition above, the clause "not actually necessary for the purpose of the war" could mean the application of force as required by military necessity. Hence, the principle of humanity would be subordinate to military necessity. Chivalry, too, is frequently a relative matter. The Germans consider soviet partisan tactics in occupied Russia dishonorable and treacherous. Moscow views the matter in a totally different light. To regard the interrelation between military necessity, humanity, and chivalry in the absolute and abstract is, however, as futile as it is unrealistic. Theory seldom resolves itself into reality. The interaction of these three principles has little concrete meaning on an abstract level; they must be considered against a historical background, or against a given set of particular conditions. Fortunately, the variety and elasticity of civil affairs problems handled by any relatively modern military government administration, but notably American, has permitted ample scope for the exercise of the principles of humanity and chivalry when politically desirable.

Ideally, military necessity operates within the framework of the laws and customs of war. But military necessity can easily conflict with those rules. The exigencies of a given situation may demand that they be interpreted with dubious legality or even violated outright. This danger seems especially strong in the case of a desperate state which, sensing defeat, believes that delinquencies will not appreciably increase the ultimate measures of retribution imposed by the victor.[23] On the other hand, a ruthless state confident of victory might well indulge in violations, and rely upon the virtual immunity conferred on the victor after the war. It is conceivable that the fate of a campaign, an army, or even state, may rest in part, or perhaps wholly, upon military government measures that contravene the laws and customs of war. A cursory survey will show that many illegal German practices in Belgium during the First World War, such as establishment of concentration camps, were predicated upon demands of military necessity.

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[23] Thus press reports indicate that in their retreat from Russia German forces compel undetermined numbers of Russian nationals to go along as a source of labor.

According to Major General Allen W. Gullion, Provost Marshal General, the primary objective of military government is "to help bring the war to a successful termination. The administration of military government is subordinate to military necessities involving operations, security, supply, transportation, and housing of our troops."[24] It is assumed that military necessity will always function within the confines of law; yet, as indicated above, this is a fallacious assumption. Contrary to custom, the Spanish employed concentration camps in Cuba during the revolt there in the last decade of the nineteenth century. British forces did the same during the Boer War. Britain unquestionably violated Section III of the Hague Regulations when in 1914 she subverted the allegiance of troops in Egypt believed loyal to the Turkish government. Article 52 of the Hague Regulations, which limits requisitions,[25] was notoriously violated by all belligerents in the Balkan Wars of 1911–13, and by the Germans in both major wars of this century.

Under Article 43 of the Hague Regulations,[26] occupying forces retain the right, and are under obligation, to maintain law and order. Beyond this civil function, occupants may issue regulations to cover legitimate military requirements, although no express powers for this purpose are granted in the Hague Regulations. These administrative, legislative, and police regulations, as Feilchenfeld aptly points out, extend "over practically all fields of life."[27] Rules affecting allegiance, sovereignty, and private property impose some limitations upon the power of regulation, but where no checks exist the scope of government enlarges under the concept of military necessity. Even the presence of legal checks is no insurmountable deterrent, as the examples cited in the preceding paragraphs make clear. The requirements of military necessity, functioning within a certain set of specific conditions, are the only logical terminus to the extension of authority in a military government. In practice, this logic is rarely driven to its extreme; for even the most calloused international delinquent pays a measure of lip service to law, and there remains always the possibility of reprisal. National policy, humanity, and particular circumstances can be, in addition, very powerful formative factors. The primary check to an intolerable expansion of oppressive authority in an occupied country by means of military government derives from the general recognition in modern times that it best serves the long-range interests of belligerents not to push the doctrine of military necessity to extremes and identify it with unadulterated, brute force.

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[24] Major General Allen W. Gullion, "Military Government," *op. cit.*, p. 22.

[25] Article 52 reads as follows: "Requisitions in kind and services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation. They shall be in proportion to the resources of the country, and of such a nature as not to involve the population in the obligation of taking part in the operations of the war against their country."

[26] Article 43 reads: "The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country."

[27] E. Feilchenfeld, *The International Economic Law of Belligerent Occupation*, p. 86.

It is fortunate that such practical deterrents to the demands of military necessity actively assert themselves in moulding the form of military government. Yet it would be unrealistic to suppose that a state would be willing to act strictly in accord with the laws and customs of belligerent occupation if ultimate victory or defeat, with the tremendous implications they connote in total war, thereby hung in the balance.

III. SPECIFIC POWERS UNDER INTERNATIONAL LAW

The history of American military governments discloses that the United States was enabled by circumstances to follow its humanitarian impulses and, with rare exceptions, avoid driving the principle of military necessity to its logical conclusion. This cannot be interpreted as an indication of soft moral fiber, but the contrary; for it requires a stout heart and a sure belief in one's destiny to be magnanimous in the emotional and physical stress of war. In conducting military governments, the armed forces of the United States frequently did not, surprisingly enough, utilize all the powers available under international law, although no question of legality could have been raised. It is not generally realized how vast is the legal arsenal inherent in the laws and customs of war which the United States possesses in common with other nations for the establishment and administration of a military government on hostile soil. To review a few of these specific powers is to recognize their immense scope.

In military government, the maintenance of order is secondary to the principal object, namely, "to provide for the security of the invading army and to contribute to its support and efficiency and the success of its operations."[28] Theoretically, all governmental functions of the invaded area cease upon occupation; in practice, however, they continue under the supervision or with the active participation of the occupier. American practice relies heavily on local officials who discharge their functions under Army supervision. Although the military governor, who is the theater commander, may delegate his duties to a subordinate, he has the right to "suspend existing laws and promulgate new ones" as military necessity demands.[29] The sovereign ownership of the territory in question is not affected, but the right to exercise full control for the duration of the occupation is conferred on the invading force.[30] The occupant has the indisputable right, among other things, to regulate commerce, control transport and communications, censor private mail, and suspend the local press entirely if deemed advisable. Labor can be requisitioned in the occupied region, but inhabitants cannot be forced to work on projects which would involve them in military operations against their own country.[31] The occupying authorities are empowered to collect taxes and other revenues. The first charge upon those revenues is the costs of administration, but the remainder is completely at the disposal of the invader. Looting and plunder, as systematized by the Nazi army, is, of course, illegal.

Obedience from the civilian population can be demanded and if necessary enforced by the military governor, in order to provide for the security of his forces, to maintain order, and to facilitate administration. Basic requirements of the population are not overlooked, for, apart from humanitarian considerations, historical experience proves it unwise to drive a people to desperation. Voluntary coöperation of the inhabitants and the demands of security are more readily achieved by a civil affairs policy which concerns itself with the essential necessities of the people. Beyond providing for basic needs, as food, water, and clothing, it is the American rule to respect religion, morality, the sanctity of domestic relations, and to protect the individual.[32] Humane treatment by the occupant, however, obligates the population in several ways.[33] Although the question of fidelity is in no way involved, for only a naïve invader would expect more than toleration, the enemy people must behave peacefully, obediently, and commit no hostile acts which would endanger the lives of occupying forces or their administration, or impair their military operations.

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[28] *FM 27-10*, p. 76, Art. 285.

[29] *Ibid.*, pp. 76–77, Arts. 286 and 288.

[30] *Ibid.*, pp. 74–75, Art. 273.

[31] Hague Regulations, Section III, Art. 52. Also see *FM 27-10*, p. 79, Art. 303. Requisition of services is limited to the needs of the army of occupation. This is entirely different from the illegal German practice of drafting labor in occupied countries for work in Germany. The German argument that labor in Germany indirectly supports the army of occupation does not cover the point in law. To argue that such labor is voluntary is only a thin disguise. On the question of labor, see E. Feilchenfeld, *The International Economic Law of Belligerent Occupation*, pp. 12, 19, 91–92.

Now all this is ideal, and if it functioned in reality as well as in blueprint, the problems of military government would, to a degree, correspond to the ordinary difficulties of civil administration, with the great difference that the military governor must frequently contend with a war-wasted area and superimpose his government on that already existing. However, restiveness rather than docility is characteristic of an enemy people under occupation, and particularly so if, in a stage of high national development, the occupied region forms only a portion of the belligerent state. Patriotic sentiment then may well express itself in underground resistance, which, in its manifold forms, must be dealt with by the military governor and his chain of subordinates.

Passive resistance, in some cases more theatrical than effective, usually disturbs the occupying forces but little. It is when the inhabitants under occupation resort to overt acts of sabotage and espionage, circulate hostile propaganda, and aid prisoners of war to escape that the military government must proceed with firm measures. Such acts, patriotic on the one side, are termed war treason[34] under the laws of war, punishable by death after trial, "although a lesser penalty may be imposed."[35] Resisting civilians, whether they are termed marauders or armed prowlers, are not entitled to treatment as prisoners of war if captured; for, the nature of their crimes being outrageous, the military court is empowered to hand down a death sentence. United States practice does not recognize as lawful belligerent guerillas masquerading behind the lines as peaceful citizens; they, too, are subject to the death penalty.[36]

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[32] *FM 27-10*, p. 78, Art. 300. Protection of the individual and respect for private property does not preclude the appropriation of property, such as houses, for temporary and military use, and the invader reserves to himself the right of taxing both people and property as well as levying forced loans (*ibid.*, p. 83, Art. 325).

[33] *Ibid.*, p. 78, Art. 301.

[34] Authoritative opinion on the question of war treason is still in a state of flux. American and British field manuals employ the term.

[35] *FM 27-10*, p. 89, Art. 357. Also see pp. 59–60, Art. 205–214; and p. 87, Art. 350.

Should civilians in an occupied region launch a program of nocturnal assassination directed against the occupying forces, or other acts equally criminal, the military government has the right to execute the individual culprits. If they cannot be apprehended, the military governor may under the law of reprisal take hostages to guard against the continuation of unlawful acts.[37] Such hostages "may be punished or put to death if the unlawful acts are nevertheless committed."[38] American practice does not prohibit mass penalties by way of reprisal, and these "collective punishments may be inflicted either in the form of fines or otherwise."[39] Where the guilty individuals cannot be identified, tried, and punished, the military government, after careful inquiry, possesses authority to burn "villages or houses, etc., . . . for acts of hostility committed from them."[40] Punishments of this sort are the military governor's redress under international law for war crimes committed against his forces or administration in the occupied district.

Guerilla operations, or even outright rebellions in occupied territory, do not legally affect the authority of the military government, provided it takes prompt and effective measures to suppress them.[41] In fact, the resisting persons, being violators of the laws of war, are no longer entitled to protection under those laws.[42] They are termed "war rebels," and when captured are subject to the death penalty even if the revolt originated in a summons to arms by the exiled government.[43] However, American interpretation recognizes the *leveé en masse;*[44] but under modern conditions of warfare a general uprising would indeed be the result only of utter desperation or burning hope of liberation. In the event of a *leveé en masse,* the armed forces in occupation face two alternatives. They can elect to evacuate, thereby terminating the occupation and military government. Military strategy and necessity do not always leave this course open, because retreat might cut off communications with troops in forward areas.[45] In such a case, the military government can choose to hold its ground and attempt to smash the uprising. That, of course, means a general blood-bath.

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[36] *Ibid.*, pp. 87–88, Art. 351.

[37] *Ibid.*, p. 89, Art. 358.

[38] *Ibid.*, pp. 89–90, Art. 358, d.

[39] *FM 27-10*, p. 90, Art. 358, e. Also see p. 86, Art. 344.

[40] *Ibid.*, p. 90, Art. 358, e.

[41] *Ibid.*, p. 75, Art. 280.

[42] *Ibid.*, p. 5, Art. 12.

[43] *Ibid.*, p. 87, Art. 349. The same penalty is applicable "in event of conspiracy to rebel, whether or not such conspiracy shall have matured by overt act of hostility" (*ibid.*, Art. 349).

[44] *FM 27-10*, p. 75, Art. 280.

It must be emphasized that these enormous powers enjoyed by military governments under the rules and customs of war are not peculiar to the United States, but are for the most part internationally recognized as legitimate applications of military force necessary at times to accomplish a mission.[46] To possess and to employ these powers, however, are two very different things. In the hands of an unscrupulous, ruthless state, engrossed with logic to the exclusion of humanity, they can become the instruments of oppression. Evidently Germany has so utilized them. Although the Nazis might brief a legal case for the razing of Lidice, for example, it nevertheless remains an instance of that kind of heartless terror which only breeds a counter-terror nourished by despair and vengeance.

On the contrary, American military governments, with rare and regrettable exceptions, have borne the stamp of enlightened benevolence. As Americans, we are grateful for and proud of this record, particularly since it is obvious that the tradition is being furthered at present in the activities of AMG. Liberals of the left who in this country deplore and criticize the conduct of civil affairs in Sicily and Italy by the Allied Military Government tend to overlook its exceptionally humanitarian aspects, and furthermore to confuse political with military issues. Whatever the actual form—and this is by no means clear—of American military government on the Continent once *Festung Europa* is breached from the west, United States forces will land as liberators. With this overwhelming initial advantage in our favor, we can rest assured that the liberal tradition of American military government will not be jettisoned.

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[45] This is well illustrated by the German position in Jugoslavia today. Under the leadership of Marshal Josip Broz, certain areas of that country appear to be in a state of *leveé en masse.* These districts have not been permanently abandoned by the Nazis. The Germans elected to stay, not only because withdrawal would weaken their political position, but also because a retreat would cut off communications with their forces along the Adriatic and parts of the northern Mediterranean.

[46] Notwithstanding the tremendous scope of these legal powers, actual practice in military government has consistently grown harsher since the beginning of the century. This tendency has accelerated since 1939, finding convenient gaps in the Hague Regulations through which the requirements of political strategy and military necessity can assert themselves. See Feilchenfeld, *op. cit.*, *passim,* but especially p. 24.

THE DIRECTION OF SUPPLY ACTIVITIES IN THE WAR DEPARTMENT; AN ADMINISTRATIVE SURVEY, II

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V

Interestingly enough, in the extensive consideration given to War Department reorganization immediately after World War I, almost no attention was paid to the possible value of the S.O.S., A.E.F., experience. Three thousand miles behind the A.E.F., in Washington, it may have seemed that there was little to distinguish between the Services of Supply and the Purchase, Storage, and Traffic Division of the General Staff with its accumulation of hostile reaction.

In August, 1919, the General Staff of the War Department presented its version of desirable legislation for the reconstitution of a peace-time Army. The measure provided for a General Staff Corps to consist of a Chief of Staff with the rank of General, five assistants to be detailed from the general officers of the line, five Brigadier Generals, and 220 other officers. The bill provided that the Chief of Staff should have "supervision of all agencies and functions of the military establishment" under the direction of the President or the Secretary of War; and it went on to provide that "the Chief of Staff shall be the immediate adviser of the Secretary of War on all matters relating to the Military Establishment, and shall be charged by the Secretary of War with the planning, development, and execution of the war program. The Chief of Staff, by authority of and in the name of the Secretary of War, shall issue such orders as will insure that the policies of the War Department are harmoniously executed by the several corps, bureaus, and other agencies of the Military Establishment, and that the Army program is carried out speedily and efficiently."

These provisions are of interest because of their obvious intention that the General Staff should play an active rôle in the administrative direction of the War Department. Indeed, the bill contained a clause defining the rôle of the General Staff as one of assisting the Secretary of War, the Chief of Staff, and General Officers in investigating and coördinating "the action of all the corps, bureaus, and agencies of the War Department." A considerable part of the lengthy hearings conducted by the House and Senate military affairs committees naturally centered on the question of the proper rôle of the General Staff in the organization and operation of the Department.

In the course of this debate, it was inevitable that the work of the Purchase, Storage, and Traffic Division of the General Staff during the war should come in for considerable comment. The chiefs of the supply bureaus were virtually unanimous in their condemnation of the powers exercised by the General Staff during the war, and more particularly during the last year thereof. Major General C. C. Williams, Chief of Ordnance, told the House Committee on Military Affairs that the Purchase, Storage, and Traffic Division "did not improve it in the slightest. I think I may say, so far as the Ordnance Department is concerned, that not one single constructive thing has come out of the Purchase, Storage, and Traffic Division. We have had much unnecessary interference."[20]

Major General W. M. Black, Chief of Engineers, was equally vigorous in his criticism of the General Staff. This time the criticism took the form, however, of opposition to giving the President, which to the Chief of Engineers meant the Chief of Staff, wide discretion in organizing the peace-time Army.[21] Colonel C. O. Sherrill, of the Corps of Engineers, criticized strongly the concept that the General Staff should have important powers of administration. He felt that untrained General Staff officers had a tendency to reach out and bring under their own direct control administrative operations that properly belonged elsewhere.[22]

The most restrained and at the same time generally theoretical criticism of the World War General Staff was given the committee by Major General W. L. Sibert, Director of the Chemical Warfare Service. General Sibert declared:

> . . . "And it seems to me that the attempt of the General Staff, through the Purchase, Storage, and Traffic Division, to interfere with or take over largely the administration of the bureaus, is due to a misconception of the real supply problem. The supply problem of the Army naturally divides itself into three phases. One is the determination of the kind and quantity of equipment that should be furnished to troops; that is purely a military proposition, and not only the kind and quantity but the way in which it

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[20] U. S. Congress, House of Representatives, Committee on Military Affairs, *Hearings before . . . on Army Reorganization*, 66th Cong., 1st Sess. (1919), p. 493.

[21] *Ibid.*, p. 765.

[22] *Ibid.*, p. 793.

> should be supplied—the automatic and the reserve supply. The second has to do with the manufacture and storage of this equipment and supplies, and is purely an industrial or commercial proposition. The third phase has to do with the movement of the equipment from storage to the troops, whether in the field or garrison, and that again is a military proposition.
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> "Now, the function of the bureaus is to perform the second phase of this problem; that is, it is to manufacture and procure and put in storage those supplies and equipment that the General Staff has decided to be necessary; and if it is in storage in the manner specified, then the Service of Supply will take it and get it to the troops. . . . I consider the greater part of the work being done by the P., S. and T. a duplication of work, and the tendency is to cut the chief of the bureau out of the control of his bureau. For instance, I received some time ago an order which stated that the purchase officer in my bureau would appoint a purchase board to advise him on all matters of general policy concerning purchases, and that that board would make daily reports to the P., S. and T. In other words, it practically took from the head of the bureau the control of purchases and gave it to a subordinate in that bureau."[23]

Only one or two officers from the much-criticized General Staff Purchase, Storage, and Traffic Division appeared to defend its activities. Major General G. W. Burr, who, when he appeared on September 26, 1919, before the House Committee on Military Affairs, was Director of Purchase, Storage, and Traffic for the General Staff, explained:

> "As far as the supply organization is concerned, I do not think the setting up of the General Staff in 1903 materially affected the organization. The semi-independent supply bureaus and staff bureaus increased, if anything, in power. The difficulty with our organization at the time we went into the war was that in each one of these bureaus the older officers and the bureau chiefs seemed to look upon each of their bureaus as a little army by itself—the bureau chiefs did not have the broad view that was necessary. Take the matter of wool and woolens. The Quartermaster Department, the Ordnance Department, the Signal Corps, and the Medical Department were buying wool and woolens. They were competing with each other. It became necessary for some central authority to secure all the wool of the country and then to allocate it.
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> "As another instance, they were all buying motor trucks. The Quartermaster Department decided on the Liberty truck, but none of the other departments would have anything to do with it. Each one of them bought its own motor cars as long as it was permitted to do so."[24]

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[23] *Ibid.*, pp. 557–559

[24] *Ibid.*, pp. 448–449.

Brigadier General Frank T. Hines, head of the Transportation Service, defended the General Staff, and more particularly the Purchase, Storage, and Traffic Division, by saying that it had taken over operating responsibilities in order to get the job done. He did not deny that the General Staff had served as an operating agency, but he argued that this had been the only way to get supplies into the hands of troops and overseas without extensive internal reorganization of the supply bureaus. There had not been time for such reorganization, and there was no assurance that a rearrangement of responsibilities within the supply bureaus would have brought about the necessary reforms.[25]

The most complete and dispassionate exposition of General Staff theory presented to the House Committee on Military Affairs was given by Colonel John McA. Palmer, at that time Director of the War Plans Division of the General Staff, and formerly a member of the staff at General Headquarters, A.E.F. Colonel Palmer expressed the opinion that the act of 1903 really created two distinct agencies inside the War Department—a planning agency, which was the General Staff Corps, and an executive agency, which was the Chief of Staff acting under the authority of the Secretary of War. Colonel Palmer, however, did not carry this thesis on to the point of answering the question whether the General Staff, as the Chief of Staff's administrative instrument, could assist the latter in the exercise of his executive authority.[26]

Colonel Palmer asserted that one of the principal causes for confusion of thought about the General Staff was an inadequate understanding of what a General Staff was supposed to be. He declared that in relying upon the German precedent, we had mistranslated the German word *Generalstab*. To us, the word meant in English "General Staff," but Colonel Palmer insisted that the word really meant "General's Staff," or "Generalship Staff," or "Tactical Staff."[27] In other words, Colonel Palmer was suggesting that the real scope of General Staff activity should be planning operations rather than administrative supervision of various supply activities.

When it came to applying his principle to specific questions, Colonel Palmer defined the rôle of a G-4 (supply) branch of the General Staff as a concern with supply operations from the tactical point of view. It was not the job, he believed, for a G-4 officer to supervise or to operate the Supply Services. Like others, Colonel

[25] *Ibid.*, p. 994.

[26] *Ibid.*, p. 1192.

[27] *Ibid.*, p. 1230.

Palmer identified the difficulties with inadequate training of General Staff officers. An untrained officer as head of G-4 was likely to believe that it was his job to do the Quartermaster's work for him. G-4 should give only such orders to the services in the rear as would enable them to perform what was expected of them. There should be no more staff interference in operations "than necessary."[28]

The one mention of the work of the Services of Supply, A.E.F., to the House committee in some 2,200 pages of testimony was made by Major General James W. McAndrew, at the time of his appearance Commandant of the General Staff College, and from July, 1918, to May, 1919, Chief of Staff to General Pershing. General McAndrew referred to the existence of the Services of Supply, but mentioned no details about its operations and did not suggest that there was any precedent in its existence that might be of value to War Department reorganization. Indeed, the General implied that headquarters, A.E.F., had dealt with Services of Supply entirely through G-4[29]—an interpretation, no doubt, with which General Harbord would scarcely have agreed.

Aside from Colonel Palmer's suggestive thesis, which he did not develop, that the Chief of Staff had executive responsibilities, while the General Staff Corps had only planning functions, no one seemed to identify the real problem facing War Department organization. This problem, stated simply, was this: What kind of organization was the Secretary of War and his military aide, the Chief of Staff, to have in exercising administrative supervision over the work of the supply and administrative services of the War Department? If the General Staff could not appropriately exercise administrative supervision, what organization was expected to provide such supervision?

No doubt the bureau chiefs would have replied that no supervisory authority was necessary. They would each separately report to the Chief of Staff and the Secretary of War. All the supervision they required could be exercised personally by those two individuals. Apart from the defense of General Staff operations during the war, no effort was made before either committee on military affairs to argue the need for peace-time supervisory organization of some size, enabling the Chief of Staff effectively to exercise direction over the supply and administrative bureaus.

The problem of a supervisory administrative organization appeared in a different context. The Assistant Secretary of War, Mr. Benedict Crowell, appearing before the House Committee on Military Affairs, argued that the functions of the War Department could be divided into two principal elements—the military functions and the supply functions. Naturally, the Secretary of War should be the director of both; but he should have separate advisers for each activity. In Mr. Crowell's judgment, the head of the military establishment, presumably the Chief of Staff, should advise the Secretary of War on all military matters, but only on military matters. "He should have no authority whatever over industrial matters." There should be a Munitions Department whose head would advise the Secretary on all matters relating to the supply of the Army. The orders about the military establishment would be handed down from the Secretary of War through the Chief of Staff. The orders about munitions supply would be handed down from the Secretary to the proper bureaus through the Chief of Munitions.[30]

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[28] *Ibid.*, p. 1233. [29] *Ibid.*, p. 2678.

Mr. Crowell based his proposal upon his belief that only industrialists could provide the ability, experience, and skill necessary to the procurement and production of munitions. He felt that an officer of the Army would only rarely be found fitted to head a great supply organization. Mr. Crowell desired to have the title of the Assistant Secretary of War changed to Under Secretary, or to Director of Munitions. This official should have authority to standardize procurement and redistribute purchasing responsibilities among the supply arms and services.[31]

The Secretary of War, on the other hand, differed from the Assistant Secretary. Mr. Baker told the House Committee that he could not share Mr. Crowell's belief that a man of great business experience, a captain of industry, could be obtained for the position of Assistant Secretary of War during peace-time. Army officers had a permanent position in the War Department and they, the Secretary felt, should have the responsibility for bureau supervision in time of peace.

The Secretary argued against the proposal to assign the Assistant Secretary of War the procurement responsibilities for administrative reasons. He told the committee that a statutory assignment of duties to the Assistant Secretary of War would interfere with the freedom of the Secretary of War to assign such responsibilities as he saw fit to his civilian subordinates. He pointed out, for example, that if the Secretary of War should happen to be an industrialist rather than a lawyer, there was a distinct possibility that the Secretary would want to supervise the procurement operations of the War Department himself and to have as Under Secretary a lawyer looking after the legal problems or some other aspects of the War Department's business.[32]

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[30] U. S. Congress, House of Representatives, Committee on Military Affairs, *Hearings before . . . on Army Reorganization*, 66th Cong., 1st and 2nd Sess., Vol. II, p. 1803. [31] *Ibid.*, p. 1804.

At no time in the exposition of his proposal did Assistant Secretary Crowell describe his war-time relations to General Goethals, the Director of Purchase, Storage, and Traffic. The implication was that during the course of the war such matters as General Goethals thought needed the personal attention of the civilian leadership of the War Department were referred to Mr. Crowell. General Staff organization and operation during the World War made it plain that the real supervision and direction of supply activities had rested with the Purchase, Storage, and Traffic Division of the General Staff. Mr. Crowell's relationship would seem to have been a personal one between himself and General Goethals rather than a relationship of a considerable administrative organization under his own personal direction exercising supervision over supply activities. Certainly the animosity of the bureau chiefs was directed toward the General Staff, and not toward the rôle played by Mr. Crowell as Assistant Secretary of War and Director of Munitions.

In any event, the new National Defense Act as passed by Congress and approved by the President on June 4, 1920, provided in Section 5a:

> "Hereafter, in addition to such other duties as may be assigned him by the Secretary of War, the Assistant Secretary of War, under the direction of the Secretary of War, shall be charged with supervision of the procurement of all military supplies and other business of the War Department pertaining thereto and the assurance of adequate provision for the mobilization of material and industrial organizations essential to war-time needs. . . . "

Section 5 of the act as amended provided that the Chief of Staff should preside over the War Department General Staff, and under the direction of the President or the Secretary of War should see that the General Staff made "necessary plans for recruiting, organizing, supplying, equipping, mobilizing, training, and demobilizing the Army of the United States, and for the use of the military forces for the national defense." The General Staff was to prepare plans for the national defense and for the use of the military forces. The section also provided that the General Staff should investigate and report upon all questions affecting the efficiency of the Army of the United States and its state of preparation for military operations. Furthermore, the General Staff was to present plans for the mobilization of the manhood of the nation and its material resources in an emergency. Finally, the General Staff was to render professional aid and assistance to the Secretary of War and the Chief of Staff.

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[32] *Ibid.*, p. 2106.

Section 5, however, did not repeat the provisions of the 1903 organic legislation, which had specifically provided that the General Staff should act as agent of the Secretary of War and of general officers and superior commanders in informing and coördinating the action of all officers subject to supervision by the Chief of Staff. These words were repeated as part of the responsibility of the General Staff with troops. The 1920 legislation did go on specifically to provide that the General Staff was not to exercise administrative responsibilities. The size of the War Department General Staff was limited to 88 officers in addition to the Chief of Staff and four assistants, who were to be general officers.

In accordance with the provisions of the amendments to the National Defense Act of June 4, 1920, General March, as Chief of Staff, organized the War Department General Staff into four divisions—Operations, War Plans, Military Intelligence, and Purchase, Storage, and Traffic, which in 1920 was called simply "supply."

War Department General Orders No. 48, in August, 1920, gave to the Assistant Secretary of War responsibility for supervising the purchase and lease of real estate, the purchase of supplies and equipment, the formulation of plans for industrial mobilization, the compilation of statistical data, the settlement of claims, and the sale of surplus property. The orders contained an ambiguous phrase providing that in issuing orders to the Supply Arms and Services "the Assistant Secretary will use the same methods of communication as used by the Secretary of War in communicating his directions to the various branches of the Army."

Since the Secretary of War communicated with any part of the War Department only through the Chief of Staff, this provision implied that the Assistant Secretary would do likewise. This provision further suggested that for staff assistance the Assistant Secretary of War would rely upon the Supply Division of the General Staff. Indeed, the statement of duties for the Supply Division included certain specific duplications with those given the Assistant Secretary of War. The Division was to supervise the purchase and lease of real estate and to formulate plans "for the mobilization of *matériel* and of the industrial and transportation activities of the country." Conflict in this overlapping assignment could be avoided, of course, if the Assistant Secretary operated through G-4. Thus at the very beginning of the history of the act of June 4, 1920, there was evidence of difficulty in defining the respective rôles of the Assistant Secretary and the Supply Division of the General Staff.

On July 1, 1921, General John J. Pershing became Chief of Staff. Six days later, in Special Orders No. 155, he created a board of seven officers, headed by Major General James G. Harbord, to study the organization of the War Department General Staff. Specifically, the Board was requested to report on the relations of the General Staff to the Adjutant General's office on personnel matters, and with the Office of Assistant Secretary of War on supply matters. Furthermore, the Board was to consider the "advisability of changing the titles of several divisions of the General Staff to conform to those used in the A.E.F. and authorizing shorter designations."

The work of this board was of the greatest significance to the organization and operation of the General Staff from 1921 to 1942. On the question of general organization, the Board recommended that the General Staff should consist of five divisions—Personnel, Intelligence, Operations and Training, Supply, and War Plans. The first four of these were to be labeled respectively G-1, G-2, G-3, and G-4. War Plans Division was to be known by its initials WPD.The board defined the duties of the Chief of Staff as those of adviser to the Secretary of War on "all matters relating to the military establishment and is charged by the Secretary of War with the planning, development, and execution of the Army program. . . . As the agent, in the name of the Secretary of War, he issues such orders as will insure that the plans of the War Department are harmoniously executed by all branches and agencies of the military establishment and that the Army program is carried out speedily and efficiently."

On the subject of procurement operations, the Harbord Board drew a sharp distinction between the military aspects of supply and the industrial aspects of procurement and production. The Board proposed that the Supply Division G-4 of the General Staff be charged with responsibility for preparing basic supply plans for the development of new weapons, for preparing the budget, and for supervising the transportation, distribution, and storage of supplies. All questions about the characteristics and requirements of Army supply were the problems of G-4 Division of the General Staff. All decisions on "business or industrial questions" in the supply program were to be the province of the Assistant Secretary of War.

Two things were especially noteworthy about the recommendations of the Harbord Board. In more than general organization and designation of divisions did the General Staff as thus proposed resemble the General Staff of the American Expeditionary Forces. In every provision was to be found an emphasis upon the coördinating and supervising rôle of the General Staff. Despite the failure of the 1920 law to give the General Staff supervisory powers, the Harbord Board's recommendations envisaged real power and authority for the General Staff over administrative operations. In the second place, the Harbord Board by no means ruled the General Staff out of the supply aspects of War Department operation. Rather, it attempted to draw a distinction between the military aspects of supply and the business or industrial aspects of supply.

The recommendations of the Harbord Board were accepted *in toto* by General Pershing and immediately resulted in the issuance of War Department General Orders No. 41, August 16, 1921.

VI

It was to be expected that the General Staff after 1921 should be influenced primarily by the personality and beliefs of General Pershing and the precedent of A.E.F. General Staff operations. Indeed, the terms of reference given to the Harbord Board specifically indicated that the experience of the A.E.F. was to be the guiding light in setting up the organization and operations of the War Department General Staff. Moreover, the presence of General Pershing as Chief of Staff, with his title (conferred upon him by Congress) of General of the Armies, settled the issue of the position of the Chief of Staff in the military hierarchy. There were no longer any officers in a position to dispute the supreme authority of the Chief of Staff.

The influence of A.E.F. precedent upon War Department General Staff was principally evident in emphasizing the supervisory and coördinating responsibilities of the General Staff. The War Department General Staff was more than a planning agency. In the A.E.F., the General Staff had exercised important powers in supervising the execution of the orders of the Commander-in-Chief. The War Department General Staff was expected to operate similarly. Planning was, of course, recognized as one of the major responsibilities of the General Staff, but it was not that staff's *only* responsibility. Administrative supervision and coördination were stressed even more, despite the provisions of the National Defense Act that might have been interpreted to deny the staff this authority.

Military texts during the 1920's and 30's laid considerable stress upon the supervisory authority of the General Staff. It is true that they were always careful to insist that the General Staff was not an operating agency—but neither did the texts suggest that the proper rôle of the General Staff was merely one of planning. A text on military organization published by the General Service Schools in 1925 stated:

> "The General Staff coördinates, supervises, and controls the technical and administrative branches by reason of its special knowledge of plans, tactical principles, and tactical situations. It does not operate these agencies. In exercising this General Staff control, non-interference is the governing principle. Coördination only is necessary when the decision will affect two or more branches, or when the decision affects the tactical situation."[33]

More particularly in discussing the rôle of General Staff with troops, military authorities insisted that the rôle of the General Staff included administrative responsibilities.

> "The duties of the General Staff with troops shall be to render professional aid and assistance to the general officers over them: to act as their agents in harmonizing the plans, duties, and operations of the various organizations and services under their jurisdiction, in preparing detailed instructions for the execution of the plans of the Commanding Generals, and in supervising the execution of such instructions."[34]

The administrative rôle of the General Staff was rationalized in terms of a long-accepted military doctrine—that of a limited number of men who could be supervised by any one individual. The growth in the number of administrative officers, such as the Adjutant General, Judge Advocate, Finance Officer, Chaplain, and the separate supply officers—Ordnance, Quartermaster, Medical, Engineer, Signal Corps, Chemical Warfare—tended greatly to enlarge the staff agencies of a Division Commander. There was only one solution:

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[33] *Military Organization of the United States.* (Fort Leavenworth: The General Service Schools, 1925), pp. 41–42.

[34] *Command, Staff and Logistics* (Fort Leavenworth: The Command and General Staff School, 1934), p. 14.

> "It is quite apparent, and has been definitely established by experience in war, that the division commander cannot, as an habitual thing, deal directly with the heads of all these combatant branches and staff agencies, coördinate and regulate their activities so as to insure combined action, and at the same time give the necessary attention to the broader phases of his duties as a commander. Therefore, he needs a small force of experts to coördinate and direct the various activities. Expressed in greater detail, he needs a small group of specially trained officers who are in intimate contact with him and conversant with the workings of the whole military machine and who can furnish him full information upon which to base his decisions and formulate his plans. These officers, then, in close coöperation, can work out the plans enunciated by him and formulate the orders and instructions for putting these plans into execution, thus insuring combined action by all members of the team and, by inspection and observation, see that these plans and orders are properly executed."[35]

In reviewing the history of the General Staff in his final report as Chief of Staff in 1930, General Summerall noted first the difficulties of War Department organization in 1917, which he identified as (1) inadequate organization for directing a general mobilization of the national manpower, and (2) a lack of organization for coördinating the procurement, storage, and distribution of supplies.[36] General Summerall described again the conditions that had existed at the outbreak of war in 1917. With five separate supply agencies, each with its own independent system of storage and distribution, there had been competition for resources, facilities, and personnel. Each supply agency shipping independently to the ports had brought about congestion on the Atlantic seaboard with a shortage of freight cars in the rest of the country. In this situation, resort was had to the "dormant coördinated powers" of the General Staff.

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[35] *Ibid*, p. 17.

[36] "Final Report of the Chief of Staff, November 20, 1930," *Report of the Secretary of War to the President*, 1930, p. 107.

"The evils in administration which had resulted in a near collapse of our war effort were promptly removed."[37]

In his description of the functions of the General Staff in 1930, General Summerall was quite explicit:

> "The functions of the General Staff present a twofold character: First, to make the plans and policies necessary to the development of our forces and the general national preparedness for an emergency; and second, to coördinate the action of the several subordinate agencies affected thereby to the end that the accomplishment of the general objectives contemplated is assured."[38]

The Supply Division G-4 of the War Department General Staff illustrated well how far the General Staff as a whole was called upon to fulfill the need for an administrative organization with coordinating and supervising responsibility. In 1926, G-4 was divided into five branches—Finance, Equipment, Construction, Supply, and Transportation. Its activities included the preparation of expenditure estimates for the military establishment, the direction of transportation activities, approval of tables of equipment and basic allowances, control of the distribution and issuance of supplies, direction of the movement of supply troop units, approval of all leases and licenses, approval of all new types of equipment, direction of construction activities, and direction of quantities and types of *matériel* to be purchased. In peace-time, for an Army the size of that maintained by the United States during the 1920's and 30's, this work was not very extensive. But the authority in directing and supervising the work of the supply arms and services exercised by G-4 was very real.

The only important threat to the power and influence of the General Staff on the supply side of War Department administration was the power vested by the National Defense Act of June 4, 1920, in the Office of the Assistant Secretary of War. That act, it will be recalled, had specified that thereafter the Assistant Secretary was to have as one of his responsibilities the supervision of the procurement activities of the War Department and the responsibility for planning the mobilization of the industrial resources of the nation for the eventuality of war. As already noted, the Harbord Board had considered as one phase of its problem the division of responsibility between the General Staff and the Office of the Assistant

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[37] *Ibid.*, p. 114.

[38] *Ibid.*, p. 109.

Secretary of War. This dividing line had been fixed between planning equipment to be purchased, the actual process of procurement, and the storage and distribution of supplies. The first and third were responsibilities of the General Staff, which meant more particularly G-4 Division of the General Staff; the second administrative responsibility belonged to the Office of the Assistant Secretary of War. The actual operations of all three phases of supply activity remained with the supply arms and services. In other words, the Ordnance Department, the Quartermaster Corps, the Corps of Engineers, the Medical Department, the Signal Corps, the Chemical Warfare Service, the Air Corps, and the Coast Artillery Corps on supply questions had two bosses. On certain phases of their work, they had to look for direction and guidance from G-4. On other phases, they must look to the Office of the Assistant Secretary of War.

In theory, the dividing line between G-4 and the Office of the Assistant Secretary of War may have seemed fairly clean-cut. In practice, the relationship proved an overlapping one. It was inevitably so. The planning and approval of types of equipment could not well be divorced from consideration of actual production problems in procurement. It was scarcely feasible to plan military equipment in the vacuum of desired military characteristics in ignorance of practical production aspects. Yet the Office of the Assistant Secretary of War had no authority to approve changes in specifications. And it was not desirable that it should have such authority without the concurrence of G-4.

Nor was the dividing line between G-4 and O.A.S.W. satisfactory in planning the mobilization of America's industrial resources. It was a responsibility necessarily of the General Staff to determine the mobilization requirements for the military defense of the United States. Yet it was entirely unrealistic to develop any such mobilization plans in complete disregard of the very practical limitations of production capacity for the necessary *matériel.* Indeed, a very real problem of this kind arose in the 1930s' planning, which is related below.[39]

The difficulties in relationship between the General Staff and the Office of the Assistant Secretary of War were such as to cause one Chief of Staff to bring up the problem in an annual report. In his final report as Chief of Staff, General Summerall referred to the powers of the General Staff contained in the act of June 4, 1920. He declared that that act had, by the express provisions of Section 5, conferred upon the Chief of Staff and the General Staff the supreme military authority in planning and supervising the military establishment.

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[39] See p. 492 below.

> "Unfortunately in the post-war administration of these provisions, the principles enunciated in the Act of 1903 have to a large extent been disregarded, and other agencies of the War Department have, contrary to the intent of the law, infringed upon the domain of coördination and supervision assigned to the Chief of Staff and the War Department General Staff, with the result that the unity of control necessary to the efficient development of our military system no longer exists."[40]

Although the Chief of Staff did not by specific word indicate that he was referring to the Office of the Assistant Secretary of War, his implication was perfectly clear. Indeed, General Summerall, in his discussions of particular problems of procurement and disposition of supply, referred specifically to the growth of a system which permitted bureau chiefs to look for supervision to another office besides the General Staff. He declared categorically: "The business of supply bureaus in connection with the immediate supply of troops, as well as bringing about an adjustment of different views as to types of equipment arising between the supply bureau and using arm of the service, is a function of command," and he went on to add:

> "We, therefore, find ourselves dangerously near the status of divided authority in the War Department which prevailed in 1898 and again in 1917, and which in times past has exercised a paralytic effect upon the directing functions of the War Department.[41]
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> "There is no doubt as to what general course affairs would take on the occurrence of a national emergency if the present situation should continue. As in 1917–18, the necessity for integrating the services of supply would early become apparent, and action analogous to that found essential during that period would be taken. In the meantime, important preparatory measures would have been neglected, and a delay and confusion that might prove fatal to the success of our arms would be inevitable. The responsibility for this situation would be thrown upon the General Staff by the very bureaus which had withdrawn themselves from its coördinat-

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[40] "Final Report of the Chief of Staff, November 20, 1930," *Report of the Secretary of War to the President*, 1930, p. 108.

[41] *Ibid.*, p. 116.

ing influence. The slow process of the development of our material to meet the conditions of modern battle and the needs of the using branches would, moreover, have been arrested, and the time lost might well prove irrecoverable."[42]

General Summerall was emphatic in his assertion that

> "The National Defense Act did not relieve the General Staff or the Chief of Staff of any responsibilities with respect to the disposition of supplies procured for military use. The General Staff, in the language of the Act, is still responsible 'for the preparation of plans for the mobilization of the manhood of the nation and its material resources,' and the Chief of Staff is still charged with acting as the agent of the Secretary of War in carrying into effect approved plans for 'supplying, equipping . . . the Army of the United States.'"[43]

The Chief of Staff insisted that Section 5a was an amplification rather than an impairment of previous law. The responsibility of the Office of the Assistant Secretary of War was defined by the Chief of Staff as one for creating an organization and plan for procurement of supplies determined necessary by the General Staff. The responsibility of the O.A.S.W. ended with the acceptance of supplies. "Any other interpretation is not only wholly unjustified by the language of the Act, but would lead to hopeless confusion in the administration of supply in a national emergency."[44]

Although the Chief of Staff did not indicate specifically the cause of the difficulty that had arisen between the General Staff and the Office of the Assistant Secretary of War, one center of controversy evidently was the matter of transportation. During the 1920's, the Office of the Assistant Secretary of War had interpreted its responsibility under Section 5a of the National Defense Act, charging the Assistant Secretary of War "with supervision of the procurement of all military supplies and other business of the War Department pertaining thereto," to include transportation. The O.A.S.W. had built up its independent relations with the nation's transportation system and had drawn its representatives into discussions about utilization of transportation facilities in the event of war.

The General Staff, on the other hand, was strongly of the belief that the movement of troops and supplies was completely a military rather than a "business" matter and should be left entirely to the jurisdiction of G-4. In addition, the Office of the Assistant Secretary of War had displayed a disposition to concern itself in the "business" matter of storage for war supplies. This likewise was a cause of concern to the General Staff.

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[42] *Ibid.*, p. 116.

[43] *Ibid.*, pp. 114–115.

[44] *Ibid.*, p. 116.

> "It is evident that control over the supplies made available for military use is as essential to the military authorities in the discharge of the responsibilities imposed upon them as is the control over the personnel from which troop units are formed. Personnel and material are the two basic inseparable elements of military force. Without control over the necessary *matériel*, a military commander is powerless to wage a campaign. It may be indifferent to the military authorities how the supplies are procured, provided the method is effective. Once procured for military use, however, munitions should be as completely under their control as the personnel placed at their disposal."[45]

Further difficulties had arisen between the General Staff and the Office of the Assistant Secretary of War in the preparation of plans for mobilizing the nation's industrial resources in the event of war. One part of the controversy seems to have centered in the question whether existing governmental agencies, such as the Commerce Department and the Labor Department, should be expanded in time of war to handle war-time industrial mobilization, or whether new agencies should be created, charged with the sole responsibility of war-time mobilization. The Chief of Staff indicated that the General Staff favored the former course—that of expanding existing agencies.[46]

The specific controversy between the General Staff and the Office of the Assistant Secretary of War that came to a head in 1930 seemed to have been settled more or less amicably within the following year. The authority of G-4 Division of the General Staff to direct transportation movements and to plan utilization of transportation facilities in the event of war was recognized by O.A.S.W. Moreover, the predominant concern of the General Staff in matters of storage and distribution of supplies was acknowledged. On the other hand, the General Staff withdrew from its position expressed in the Chief of Staff's report of 1930 favoring its own scheme of administrative organization for mobilizing the nation's resources. Henceforth, the peculiar interest of O.A.S.W. in these problems was admitted. Officially, there were no further indications of difficulty between the General Staff and the Office of the Assistant Secretary of war except for the mobilization plan incident of 1936, subsequently referred to.

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[45] *Ibid.*, 117.

[46] *Ibid.*, p. 121. See also the appendix to the Chief of Staff's report, "Mobilization of Resources," prepared by Lt. Col. T. H. Emerson, C.E., p. 177.

In his report for the fiscal year 1931, the Assistant Secretary of War explained that the Industrial Mobilization Plan prepared in that year had been presented to the Chief of Staff and approved by him. In turn, this plan had been presented to the War Policies Commission by the Chief of Staff himself on May 31, 1931.[47] It was evident from this statement that a real effort had been made to bring about coöperation between the Office of the Assistant Secretary of War and the General Staff. It had been tacitly acknowledged that mobilization planning could not be separated into watertight compartments, enabling the General Staff and the O.A.S.W. to proceed independently. Indeed, from this point on, it became a standard part of Army thinking to regard the O.A.S.W. and G-4 Division of the General Staff as closely interrelated. This thinking was acknowledged, for example, in the various reports from time to time prepared on the supply organization of the War Department in the Army War College.[48]

The possibilities of conflict were none the less latent and continuing. The overhead organization of the War Department had two separate staffs directing and supervising supply operations. That the determination of military supply requirements and the direction of their procurement were essential phases of the same process was becoming increasingly clear. An incident in 1936 showed the close interrelationship. As Assistant Secretary of War, Mr. Harry H. Woodring became convinced that the initial-sized force proposed in the Protective Mobilization Plan of the General Staff that year was too large. The supplies required could not be procured in the time allowed for activation of that initial protective force. Accordingly, when Mr. Woodring became Secretary of War, he directed the Chief of Staff to revise the Protective Mobilization Plan so that it would more nearly accord with procurement realities.[49]

When conflict arose between the Chief of Staff and the Assistant Secretary of War, there was no authority short of the Secretary of War himself capable of settling a controversy. As long as the Office of the Assistant Secretary of War was small, and the procurement program of the War Department of modest proportions, close coöperation between G-4 and O.A.S.W. was possible. Much, of course, depended upon the personalities of the officers assigned to the respective organizations.

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[47] "Annual Report of the Assistant Secretary of War," *Report of the Secretary of War*, 1931, p. 47.

[48] "Organization of the War Department for Supply," Report of Committee No. 3, Course at the Army War College, 1936–1937, G-4, Dec. 14, 1936.

[49] *Annual Report of the Secretary of War for the Fiscal Year 1938*, p. 1.

With the advent of large-scale procurement operations beginning in the fall of 1940, difficulties in relationship between G-4 and O.A.S.W. began. These differences were more or less inevitable. As the procurement program expanded, so did the organization of the Office of the Assistant Secretary of War. On July 1, 1940, the total personnel of the Office of the Assistant Secretary of War consisted of 181 persons. On June 30, 1941, the total was 873 persons.

In the meantime, the Office of the Assistant Secretary of War had become the Office of the Under Secretary of War. The Second Supplementary Military Appropriation Act of December 6, 1940, providing for the position of Under Secretary of War, specifically repealed Section 5a of the National Defense Act of June 4, 1920, and provided that the supervision of procurement activities should be vested in the Secretary of War. The act went on to provide that the Secretary of War might in turn delegate this responsibility to the Under Secretary of War. In this way quietly, without particular comment or debate, the statutory provision for a dual supervisory organization on supply matters was repealed.

Actually, in practice, no change immediately followed this action. The Secretary of War delegated his administrative responsibilities to the Under Secretary of War. Robert P. Patterson, who had become Assistant Secretary of War in July, 1940, became the new Under Secretary. His responsibilities remained the same and his organization continued to grow.

By the end of the calendar year 1941, the Office of the Under Secretary of War numbered about 1,200 officers and civilians. On July 12, 1941, it was moved into the newly completed War Department Building, about a block and a half away from the Munitions Building. The increase in personnel and the physical separation of the O.U.S.W. from the General Staff in the Munitions Building placed a considerable strain upon the coöperative relationships between the two offices. Those relationships had been a matter of personal contact and not of organizational procedure. With a great many more people involved, with expanding operations, with some confusion and uncertainties in its internal organization, the Office of the Under Secretary of War was no longer an agency which could deal informally and fully with G-4.

The difficulties that some persons in the Army had always foreseen in the division of supervisory power between the General Staff and the Assistant Secretary of War became very real. The supply arms and services dealt individually with G-4 on questions of supply requirements and supply program. They then dealt with the Office of the Under Secretary of War in making their contractual arrangements for the procurement of specified *matériel*. After delivery, once more the supply arms and services were subject to the jurisdiction of G-4. It was relatively simple for the individual supply arms and services to play one supervisory authority against the other. Occasions were not lacking when the supply arms and services chose to deal independently with the super-agencies then in process of creation and expansion, such as the Office of Production Management, without clearance through the Office of the Under Secretary at all. There were other occasions when conflicting instructions from the General Staff and from the Office of the Under Secretary were cited as justification by the supply chiefs for following their own course of action. In many respects, the conditions of early 1917 were in danger of being repeated.

VII

The reorganization of March 9, 1942, changed this situation. The supervisory responsibilities of the Office of the Under Secretary of War and of the G-4 Division of the War Department General Staff were combined under the Commanding General, Services of Supply.[50] An official explanation of the reorganization was provided the Senate Committee on Military Affairs on March 6, 1942, by Major General (later Lieutenant General) McNarney, then an assistant to the Chief of Staff.[51] General McNarney laid primary emphasis in his account upon the great number of separate agencies formerly reporting to the Chief of Staff.

In addition to his General Staff of five divisions, the Chief of Staff was the recognized military superior of the chiefs of the combatant branches of the Army—Air Corps, Infantry, Cavalry, Field Artillery, Coast Artillery, Engineers, and Signal Corps. The chiefs of the supply services—Ordnance, Quartermaster, Medical, Chemical Warfare Service—likewise reported to the Chief of Staff. Also under his jurisdiction were the chiefs of a number of separate administrative services—Finance, the Adjutant General's Deparment, and the Judge Advocate General's Department. In a special category, but still responsible directly to the Chief of Staff, were the Chief of the National Guard Bureau, the Executive for Reserve and R.O.T.C. Affairs, and the Chief of Chaplains. Together, the chiefs of all these branches and services were known as the "special staff" of the Chief of Staff.

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[50] The name "Services of Supply" was changed to "Army Service Forces" on March 12, 1943.

[51] U. S. Congress, Senate, Committee on Military Affairs, *Hearings before . . . on a Bill to Establish a Department of Defense Coördination and Control,* 76th Cong., 2nd Sess. (Mar. 6, 1942).

These, however, were not the only parts of the Army under the Chief of Staff's command. There were nine corps areas and four defense commands throughout the United States. There was an Army command in Alaska, Hawaii, the Caribbean, the Panama Canal Zone, and the Philippines. The dispatch of troops overseas to Greenland and to England enlarged the tactical commands reporting to the Chief of Staff.

Altogether—one of the officers accompanying General McNarney before the Senate Committee said—before the reorganization the Chief of Staff had to deal personally or through his General Staff with 40 different major commands and some 350 small ones.[52]

General McNarney told the Committee:

> "Due to the fact that there were no large responsible subordinate commands to which administrative details could be delegated, the General Staff has had to take onto itself a large number of administrative details during the past years of peace.
>
> "These details formerly came up either to the Deputy Chief of Staff or the Chief of Staff for decision. This system resulted in completely overburdening the Chief of Staff and his deputies with decisions on what were relatively minor matters of detail.
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> "With the expansion of the Army, and particularly when he is charged by the Commander-in-Chief, the President, with the strategic direction of our several overseas forces, it was evident that the Chief of Staff and General Staff should get back to Mr. Root's original conception of the General Staff. General Pershing's general staff was set up along those lines. The Congress itself has stated the duties of such a general staff in the National Defense Act.
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> "The War Department General Staff must be a planning and policy-

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[52] *Ibid.*, p. 13.

making staff. Rather, it must not operate and be bothered by minor details. This reorganization, the basic purpose of this reorganization, is to effect that very thing by creating three large commands with responsible commanders to which administration and other decisions will be delegated."[53]

The story of how the War Department reorganization had been planned was also explained by General McNarney:

> "I might say that this reorganization has been under study for a period of about a year. Colonel Harrison, who is with us this morning, was the man charged with the preliminary studies which were presented to the Chief of Staff. The Chief of Staff gave considerable thought to the problem and decided that for the purpose of actually winning the war which appeared to be close upon us at that time some reorganization of the staff of the Army was necessary.
>
> General Kuter, who is also with us this morning, was one of the secretaries, War Department General Staff. He worked closely with Colonel Harrison on the proposed reorganization. I was in England at the time. I had been there for the last seven months, when early in December I was recalled for the purpose of forming this committee of three to study the proposed reorganization.
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> We presented our ideas to General Marshall. At that time the war was on. He studied them very carefully. They were presented to the Secretary of War and to Mr. Patterson. It was decided that the time had come when a reorganization was necessary, and as a result, this reorganization has now been approved by the President, and is about to go into effect on March 9. . . . "[54]

General McNarney announced that the General Staff had been radically reduced in numbers. To the three great commands—the Ground Forces, the Air Forces, and the Services of Supply—had been delegated the administrative work previously performed by the General Staff. One reason for the change advanced by General McNarney was the need for making a cohesive fighting force of the units which previously had enjoyed separate existence on the special staff of the Chief of Staff—the Infantry, Cavalry, Field Artillery, and Coast Artillery.

Some interest was manifested by the Senate committee in the arrangement whereby the Commanding General, Services of Supply, reported on procurement matters to the Under Secretary and on military matters to the Chief of Staff. General McNarney acknowledged that this was an arrangement "which you might say violates good organization."[55] He went on to say that while the Commanding General had two bosses, they were "for two different purposes, but the purposes are somewhat interrelated. And, as a matter of fact, these two functions must merge, and we have merged them at the highest practicable level. Hence, this situation is academically unsound, but is workable and is the best practical solution to our problem."[56]

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[53] *Ibid.*, p. 2.

[54] *Ibid.*, pp. 1 and 2.

General McNarney implied, without saying in so many words, that the principal improvement resulting from the creation of the Services of Supply was that henceforth only one Army official had two bosses instead of all the supply chiefs, whereas before, the Chief of Engineers, the Chief of Ordnance, the Quartermaster General, the Chief Signal Officer, the Surgeon General, the Chief of Chemical Warfare Service (and, before the reorganization, the Chief of Coast Artillery) had on supply matters reported to both the Under Secretary of War and the Chief of Staff. Now they reported to but one person—the Commanding General, Services of Supply (Army Service Forces).

VIII

After nearly forty years of experience with supervisory and coördinating organizations under the Chief of Staff and the Assistant Secretary of War, the War Department in World War II thus turned to the creation of three major commands under the Chief of Staff. Integration took the place of past efforts at coördination.

The fact that from 1921 to 1942 there were two supervisory agencies of the War Department on supply problems, the General Staff and the Office of the Assistant Secretary of War, did not detract from the basic lesson of this experience. Unquestionably, the existence of two such supervisory organs did complicate the functioning of the high command of the War Department. The solution sought for the difficulties of overhead organization was not amalgamation of the General Staff and the Office of the Under Secretary of War into a single coördinating agency under the Chief of Staff, but a new line administrator—the Commanding General, Army Service Forces—to take over supply and administrative responsibilities for the War Department. At the same time, the Chiefs of

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[55] *Ibid.*, p. 6. [56] *Ibid.*, p. 7.

Infantry, Cavalry, Field Artillery, and Coast Artillery were actually abolished and replaced by a single Commanding General of Army Ground Forces. Integration, not improved coördination, was the answer to the administrative problems of the War Department high command.

The General Staff was continued, but with size and scope reduced. The new General Staff was expected to concern itself primarily with planning; the details of administrative direction of the vast wartime work of the War Department were vested in the commanding generals. With this organization within the United States, the War Department prepared itself to meet the burdens of war.

AMERICAN GOVERNMENT AND POLITICS

CONGRESSIONAL SELF-IMPROVEMENT

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The complaint about Congress which has been more or less chronic in this country's history became acute during the 77th Congress (1941–42). While some of the condemnation was abusive, personal, and partisan, much of it was a frank recognition of existing weaknesses emphasized by present responsibilities. Intelligent response to this criticism both inside and outside of Congress resulted in constructive suggestions intended to restore the representative branch to fullest prestige and usefulness. While far-reaching alterations in the working arrangements of Congress proposed by publicists and scholars may be completely sound, it would be naïve to assume that any reform could be imposed on Congress from without.[1] Congressmen are notoriously jealous of their own prerogatives, and the only hope of modernizing the lawmaking branch rests with them. It is therefore highly significant that the members of the 78th Congress reacted to the criticism by introducing an unprecedented number of resolutions ranging from the smug suggestion for a committee to protect the integrity of Congress[2] to two soul-searching recommendations for special committees to study all aspects of Congressional reorganization.[3]

The measures cover a wide range, but for purposes of convenient discussion they can be classified into four broad categories. The first includes the proposals for the creation of some specific formal arrangement for liaison between the President and Congress. The second aims to reorganize the committee system. The third comprises proposals to facilitate legislative check on administrative action, particularly through subjecting departmental rule-making to Congressional surveillance in a systematic, continuous manner. The fourth category includes all provisions for staffing with experts the committees of Congress or Congress as a whole.

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[1] See Henry Hazlitt, *A New Constitution Now* (New York, 1942); Roland A. Young, *This Is Congress* (New York, 1943); George B. Galloway *et al.*, "Congress—Problem, Diagnosis, Proposals," in this REVIEW, Vol. 36, pp. 1091–1102; "Our Form of Government," No. 5 in the postwar series, "The United States in a New World," *Fortune*, supplement, Nov., 1943.

[2] H. Res. 13, 78th Cong., 1st Sess., introduced by Representative Clare E. Hoffman.

[3] H. Res. 19, 78th Cong., 1st Sess., introduced by Representative Everett M. Dirksen, and identical resolutions (H. Con. Res. 54 and S. Con. Res. 23) introduced simultaneously by Representative Mike Monroney and Senator Francis Maloney.

I

The outstanding Congressional plan for providing needed liaison between the President and the lawmakers was presented by Senator Maloney's resolution to create a Joint Committee on War Problems.[4] The committee would be composed of six representatives and six senators, with equal political representation, selected by the membership of each house as a whole to represent its views. After making special study and investigation of the problems arising out of the war, the committee would confer with the President and with the various departments and agencies of the government with respect to them. In regard to Congress, this committee's responsibilities would be "to consult with other committees of both branches of the Congress and to report to the Congress from time to time." It would in no way rob the existing standing committees of any of their power, but would simply endeavor to generate mutual confidence "from the White House to the hill and the hill to the White House."[5]

In the hearings, proponents of this resolution revealed two objectives. First, Congress was to become better informed, thus overcoming "the principal criticism that can be made at the present time of the part of the Congress in the war. . . ."[6] In addition to restoring public confidence in Congress, it was thought, secondly, that adoption of the resolution would enable Congress to act more intelligently, which might in practice simply mean coöperating with the executive. Cited in support of the resolution was an instance of the coöperation Congress is capable of giving when it is well informed. After Chief of Staff Marshall had explained to members of the Military Affairs, Foreign Relations, and Appropriations Committees the necessity of in no way interfering with General Eisenhower's relations with Darlan in North Africa, Congress maintained discreet silence while controversy raged in the press and even in the British Parliament.

Immediately after Pearl Harbor, the President expressed a willingness to consult with and seek the advice of the members of an over-all committee if Congress believed greater coöperation could be achieved thereby than through his habit of consulting the majority and minority leaders of Congress and the particular committees charged with specific subjects.[7]

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[4] S. Con. Res. 1, 78th Cong., 1st Sess.

[5] Senator Arthur H. Vandenberg, in *Hearing on Joint Committee on War Problems* before a Subcommittee of the Committee on Military Affairs, Senate, 78th Cong., 1st Sess., p. 16.

[6] Senator Henry Cabot Lodge, Jr., *ibid.*, p. 9.

[7] This opinion was rendered in a reply on December 27, 1941, to Senator Vandenberg's letter proposing an agency of liaison shortly after Pearl Harbor. The Maloney resolution is substantially the same as Vandenberg's proposal except for the title of the committee.

The issue resolves itself into whether the relationship between the President and Congress is to be formalized or to continue dependent primarily upon the instruments of invisible government, with the party as the liaison. If the Congress were to designate the members who should visit the White House, the invitations from the host might not be so frequent or the reception so warm.[8] Flexibility of present contacts allowing the President to call on men particularly fitted to convey his ideas on certain issues would be sacrificed. The President would of necessity work with this group if it were to become a central committee preparing a coherent legislative program and other committees were subordinate to it.[9] The proposed committee might eventually develop such a dominant position, but Senator Maloney conceived of it simply as "of special value to the standing committees . . . because members would assume this joint committee would know the answers and would keep the Congress and special committees properly informed."[10] The Maloney resolution would insure the inclusion of the minority political group in the consultations, giving a measure of coalition government desirable in wartime; but in normal times bi-partisanship would not encourage responsible party government and might doom the mediating agency to failure.

II

That reorganization of committee structure is a second clear objective in the Congressional program of self-improvement is revealed in reform proposals. In the 77th Congress, dissatisfaction with committees was voiced, especially in the upper branch. Senator George W. Norris declared: "I suppose every Senator who has given the subject any thought —and I presume we all have—will concede that we ought not to have as many committee assignments as we have." Senator James Mead complained: "We have two or three hundred subcommittees. One morning . . . four committees which I had to attend were concurrently meeting, and of course it was simply a physical impossibility for me to attend them all."[11] A remedy was promptly offered in the present Congress by Senator

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[8] Senator Edwin C. Johnson emphasized this in the *Hearing:* "Your whole proposal is dependent upon the full coöperation of the President in this whole matter, and he has these agencies now, and if he does not utilize them, . . . why would you believe that he would want to consult with a super-committee, set up for the same purpose that the leaders are set up now?" *Hearing on Joint Committee on War Problems*, Subcommittee of the Committee on Military Affairs, Senate, 78th Cong., 1st Sess., p. 19.

[9] Consultation might be completely assured if the central committee were made up of chairmen of the important standing committees and these chairmen were chosen by the party caucus, as Roland Young suggests. *Op.cit.*, pp. 251–253.

[10] *Hearing on Joint Committee on War Problems*, p. 11.

[11] *Cong. Rec.*, 77th Cong., 1st Sess., Vol. 87, p. 5081, June 12, 1941.

Robert M. La Follette's proposal drastically reducing the Senate standing committees from 33 to 13, permitting them to act jointly with corresponding House committees, and allowing, with few exceptions, each Senator membership on only one committee. La Follette pointed out that if each Senator were confined to only one important committee, he could then attend its meetings and become more expert upon the subject-matter of that committee. These smaller groups, with jurisdiction corresponding roughly to the main outlines of national policy and also to the administrative divisions in the executive branch, would, it was maintained, improve the machinery for legislative-executive coöperation, provide specialized and informed channels through which Congress could exercise its policy-making functions on a continuous and sustained basis, and more definitely fix responsibility for primary formulation of legislative policy.[12]

Streamlining of committees would also fall within the frame of reference of Congressman Everett M. Dirksen's suggestion that a select committee be created on Congressional reorganization to investigate and study the structure, functions, and procedures of the legislative branch to determine how they may be modified or revised, or even augmented.[13] Specific provision for "study of the structure of and relationships between the various standing, special, and select committees on both sides of the Capitol" was made in the identical resolutions introduced in the House and Senate to establish a bi-partisan study committee which would strengthen the legislative branch, simplify its operations, and promote improved relationships with other branches of government.[14] In addition to these broad proposals which open the door to complete overhauling, Representative Louis Ludlow wisely advocated a Committee on Fiscal Planning to coördinate revenue and spending activities by bringing together ranking members of the Committees on Ways and Means and Appropriations.[15]

Significant, too, are the proposed resolutions setting up joint committees for collaboration between the two houses of Congress in the vital areas of appropriations, military and naval affairs, and postwar policy.[16] These proposals are a recognition of the inherent worth of this type of joint arrangement; while they do not affect the existing standing committee system, but merely supplement it, experience with them may point the way to reorganization. Senator Millard E. Tydings would create a Joint Committee on Appropriations of three members from each of the expenditure committees to conduct studies, make analyses, and evaluate requests for appropriations.[17] In no way superseding the parent bodies, it would perform chiefly an investigating and reporting function, serving any committee having jurisdiction over revenues, appropriations, or expenditures. To achieve the parallel objective of "bringing expenditures within closer approximation of the revenues," Representative Dirksen introduced a resolution to establish a Joint Committee on Economy and Efficiency with a similar but larger membership.[18]

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[12] S. Res. 169, *Cong. Rec.*, 78th Cong., 1st Sess., Vol. 89, pp. 7259–7261.

[13] H. Res. 19, 78th Cong., 1st Sess.

[14] H. Con. Res. 54, 78th Cong., 1st Sess., and S. Con. Res. 23, 78th Cong., 1st Sess.

[15] H. Res. 22, 78th Cong., 1st Sess.

[16] An additional joint committee, having as its purpose checking the executive, is discussed below.

A coördination of the war activities of the Congress under a legislative high command is the goal of the resolution creating a Joint Committee on Military and Naval Affairs and Appropriations.[19] It would consider legislative proposals submitted by the War or Navy Department on the prosecution of the war and investigate expenditure of funds appropriated to these departments for the conduct of the war. Deploring the diffusion and dispersion of effort now prevailing in Congress' dealing with the war, the resolution's author, Representative Dirksen, gives an example: "Naval aircraft authorizations are first considered by the Naval Affairs Committee. Funds for such craft are considered by a subcommittee on naval appropriations. If it is a deficiency or supplementary rather than a regular item, it goes to a deficiency subcommittee. Then it goes to the full Committee on Appropriations. Such diffusion is not in accord with the functional pattern of the present war."[20]

Three additional joint committees are proposed, one to make a study of war and postwar problems,[21] another better to deal with and prepare for problems of peace and the accompanying treaty,[22] and the third for public works and postwar reconstruction on the domestic front.[23] The last two resolutions provide for staffs of experts in the designated subjects to furnish Congress with accurate information when it is called upon to pass bills.

III

The third group of proposals of the lawmakers is aimed at "control of the executive," which is only slowly becoming recognized in the United States as quite as important a function of Congress as lawmaking. Owing to England's classic experience in developing machinery for control, it is only natural that there should be suggestion for an adaptation of that most important "continuous and worrying" instrumentality—the question hour. Representative Estes Kefauver would amend the rules of the House to provide for a question period at which heads of executive departments and independent agencies could appear and answer questions "on at least one day in each period of two calendar weeks, but not oftener than one day in any one calendar week."[24] Each written question would be submitted to the committee having jurisdiction over the subject-matter of such question, to the head of the executive agency concerned, with an invitation to appear before the House, and to the Committee on Rules with a request for allotment of time for the questioning. The latter half of each question period would be reserved for oral questions, this time being divided between minority and majority members. The proposal engendered lively debate, in which the participants manifested enthusiasm for the idea. The chief proponents of the resolution defended its constitutionality, cited precedents from Washington's administration in support of it, and emphasized that experience under it might dictate its subsequent change in one respect or another.[25] It is not likely to emerge from committee, for the House leadership is reported to oppose it.[26]

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[17] S. 764, 78th Cong., 1st Sess.

[18] H. Con. Res. 8, 78th Cong., 1st Sess.

[19] H. J. Res. 10, 78th Cong., 1st Sess., introduced by Representative Dirksen.

[20] *Cong. Rec.*, 77th Cong., 2nd Sess., Vol. 88, p. 8647, Oct. 1, 1942.

[21] S. J. Res. 22, 78th Cong., 1st Sess., introduced by Senator Claude Pepper.

[22] H. Con. Res. 3, 78th Cong., 1st Sess., introduced by Representative Dirksen.

[23] H. Con. Res. 2, 78th Cong., 1st Sess., introduced by Representative Dirksen.

Having delegated legislative powers of increasing scope and generosity, Congress, says Minority Leader Representative Joseph W. Martin, has "a direct and solemn obligation to the people to watch carefully their use."[27] One committee has already been set up to check administrative directives, and at least five additional measures in the hopper are designed further to implement this process. On February 11, 1943, the House of Representatives established the so-called Smith Committee, which acts only after complaint has been made that rules or directives of any department or agency (1) are beyond the scope of the authority granted by Congress or by executive order, (2) invade the constitutional rights, privileges, or immunities of citizens, (3) inflict penalties without affording an opportunity to the accused for presenting their defense before a fair and impartial tribunal.[28] In the debates, question arose as to the propriety of a legislative committee reviewing such actions, and opponents implied that the committee would be invading the constitutional rights of the judiciary and violating separation of powers. The prevailing opinion, however, favored "riding herd" on some of the administrative agencies.[29]

The Smith Committee made two minor investigations of activities of the Office of Price Administration, first in the handling of rent control,[30] and later in the fixing of meat prices.[31] Charges were made in both instances that some rules and regulations exceeded the authority granted to the agency and others violated the express mandate of Congress. The committee made its most important report upon a general investigation of OPA, and called upon Congress to rewrite the Price Control Law.[32] It charged that the agency had "assumed unauthorized powers to legislate by regulation and has, by misinterpretation of acts of Congress, set up a nation-wide system of judicial tribunals." Counter-charges were made by an unofficial group of House members that the report was "based upon questionable and, in many instances, seriously biased interpretations" of the powers of the OPA.[33]

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[24] H. Res. 327, 78th Cong., 1st Sess.

[25] *Cong. Rec.*, 78th Cong., 1st Sess., Vol. 89, pp. 9565–9570, Nov. 12, 1943.

[26] *New York Times*, Nov. 21, 1943.

[27] *Cong. Rec.*, 78th Cong., 1st Sess., Vol. 89, p. A4036, Sept. 14, 1943.

[28] H. Res. 102, 78th Cong., 1st Sess.

[29] *Cong. Rec.*, 78th Cong., 1st Sess., Vol. 89, p. 913, Feb. 11, 1943.

[30] 78th Cong., 1st Sess., House Report No. 699, July 27, 1943.

[31] 78th Cong., 1st Sess., House Report No. 898, Nov. 29, 1943.

One of the foremost difficulties in the Congressional-Executive relationship in regard to delegated legislation was highlighted in the committee's statement that "Public Law 421 . . . fails to provide a sufficiently clear definition of this power, to guard against its abuse, and to adequately safeguard the constitutional rights of citizens."[34] While Congress is obligated to define policy rather than merely to dump a regulatory problem in the lap of an administrative agency, this may be almost impossible "when a new type of regulation is undertaken."[35] Through an arrangement like the Smith Committee, Congress is in a position continuously to survey the growth of a law from broad policy to specific application and to recommend amendments refining the original statute if its administrative development does not conform to Congressional intent, which itself may be clarifying. This may make it possible for Congress—which is, after all, the body constitutionally responsible for lawmaking—to discharge its responsibility more completely and precisely than has heretofore been possible when dealing with the complications of economic regulation. It may be taken for granted that the Congressional committee scrutinizing the delegated legislation will not distinguish, as the Committee on Ministers Powers suggested such a committee should, between "merit" and "principle." The line is too fine-drawn to be followed in practice. This development does presume, of course, that the committee making the survey of administration recognizes the necessity for continuity in both law and administration, represents the actual policy mind of Congress,

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[32] 78th Cong., 1st Sess., House Report No. 862, Nov. 15, 1943. "Distrust of the good faith of the executive departments in interpreting the powers granted," the report stated, "will inevitably discourage and deter the Congress from delegating those powers essential to the efficient functioning of government" (p. 2).

[33] *New York Times*, Nov. 16, 1943.

[34] House Report No. 699, p. 3. In its second report the committee declared that "where legislation is drafted by officials to implement their own authority, the resulting legislation is almost invariably far broader than necessary to effect its declared purpose and object." House Report No. 862, p. 4.

[35] See James Hart, "The Exercise of Rule-Making Power," President's Committee on Administrative Management, *Report with Special Studies* (1937), p. 325.

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and is not a disaffected partisan element renewing a battle already lost during the bill stage.[36]

Two further House resolutions have been introduced to achieve the same objective of seeing that executive interpretations of statutes conform to Congressional intent,[37] but they would assign the task to the regular standing committees which reported the original bills.[38] One proponent of this plan condemns "waiting until there is difficulty in connection with the administration of a law and then having a special committee with an ex parte hearing on the floor about all the things that are wrong with an agency." He contends that it would be "far better to strengthen the position of the standing committees of the House by giving them continuously this investigating function . . . and a recognized constant duty to see . . . that the laws they pass are carried out as was intended by this House."[39] Senator La Follette stressed that surveillance over delegated legislation would be improved by the committee reorganization he sponsored (reducing Senate committees from the present 33 to 13 corresponding to the administrative divisions in the executive branch): "Confronted as we are with the necessity of the delegation of large portions of legislative power to the executive arm of the government, these committees would be in a position to make certain that the power was being exercised as the Congress intended it should be exercised."[40] The use of standing committees would have the merit of giving a more balanced approach than might be achieved by the appointment of members to a select committee who have no background in the subject except a specific bias.

The unique power of holding up the effective date of an order or regulation if objection were made to it would be granted to a Joint Committee on Administrative Review proposed by Representative Dirksen.[41] The effective date of all rules and regulations would be suspended for ten days, during which time the joint committee would consider them. The committee, however, would have only a delaying, not a veto, power; for a rule under scrutiny would none the less become effective at the expiration of forty days. Meanwhile, the committee would be entitled to report to the Senate and House at any time. Here again is an attempt at duplication of English practice, this time of the provisional order system, or of the later development whereby departmental legislation may be rescinded within a certain number of days after issuance by an adverse address. Our Constitution presents a most serious obstacle to this adaptation for two reasons: first, when the Executive issues orders, he is not generally considered to be legislating but rather administering, which action is therefore beyond the power of immediate Congressional intervention. Secondly, while no one would deny the power of Congress to withdraw the authority of the Executive to make an order, provided the withdrawal took the form of legislation, such legislation rescinding an executive order might be of no avail unless Congress could be certain of a two-thirds vote enabling it to override an executive veto. Admittedly, Congress circumvented these difficulties in the Reorganization Act of 1939 by substituting "plan" for "executive order" and "concurrent resolution" for "joint resolution"; but it is doubtful whether these expedients constitute sound precedent.[42]

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[36] The members of the Smith Committee voted consistently in favor of price administration when that subject was under consideration in Congress. Only one of them, Representative Clare Hoffman, spoke against the Emergency Anti-Inflation Bill. *Cong. Rec.*, 77th Cong., 2nd Sess., Vol. 88, pp. 763–764.

[37] An additional committee would be set up by S. Res. 196 with the very broad mandate "to investigate the authority of the President to issue executive orders, and the effect of their enforcement upon the national economy and constitutional democracy." A joint committee whose powers would cover a similar wide range would be established by H. J. Res. 173 "to obtain complete information with respect to the functioning of the executive departments and independent agencies of the government."

[38] H. Res. 60, 78th Cong., 1st Sess., introduced by Representative Jerry Voorhis, and H. Res. 186, 78th Cong., 1st Sess., introduced by Representative Earl R. Lewis.

[39] Rep. Voorhis, in *Cong. Rec.*, Vol. 89, pp. 561–562, Feb. 2, 1943.

[40] *Ibid.*, p. 7260, July 5, 1943.

[41] H. J. Res. 66, 78th Cong., 1st Sess.

IV

Experts have established their indispensability in lawmaking, and Congress, rather than depend upon the executive branch for them, would employ technicians of its own. No innovation has been more frequently advocated, and respect for Congressional judgment necessitates careful consideration of staffing proposals. Congress' complaint is not only that it lacks complete information, but that the executive branch upon which it is dependent for information is unreliable from its standpoint. "Appropriation bills are written without full knowledge, even by the committee members," declared a member of the Senate Appropriations Committee, adding that the members "are dependent upon the confidence they have in departmental and other officials."[43] After voicing the same complaint, Representative Dirksen declared that Congress "must be able to challenge the information presented by government functionaries with expert information assembled by its own expert staffs."[44]

Difficulties can be foreseen in the creation of two sets of experts, one responsible to Congress as its own immediate agent, and the other, while

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[42] See John D. Millett and Lindsay Rogers, "The Legislative Veto and the Reorganization Act of 1939," *Public Administration Review*, Vol. 1, pp. 176–189 (Winter, 1941).

[43] Senator Francis Maloney, in *Cong. Rec.*, 77th Cong., 1st Sess., Vol. 87, p. 5200, June 13, 1941.

[44] *Cong. Rec.*, 77th Cong., 2nd Sess., Vol. 88, p. 7945, Oct. 1, 1942.

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ultimately responsible to Congress, functioning primarily as an instrumentality of the executive branch. At least one representative has looked askance at staffing, out of a fear that Congress would be confronted by a combination of the new Congressional experts and departmental specialists whose common interests and information would make them intimate.[45] Less concern need be felt that the pundits will combine against Congress than that the inevitable conflicts among experts will sharpen the differences between administrative and legislative branches, raising their disagreements to a higher plane by reinforcing their predilections with statistics. Moreover, staffing may be objected to because it needlessly duplicates specialists who are already to be found on federal payrolls and reflects upon the integrity of the civil servants, many of whom are undoubtedly as faithful to the Congress as to the executive. All proposals for staffing must be considered in the light of the fact that Congress is already elaborately staffed, at a cost of several million dollars annually.[46] Provision for staff for Congressional committees without duplicating governmental personnel is suggested by a joint resolution which would make available research secretaries from the Legislative Reference Service in the Library of Congress.[47] Representative Cochran has introduced a bill enabling committees to call upon qualified personnel in the executive departments to aid them in their investigations, providing the departments are reimbursed and the public service is not impaired.[48]

Measures to provide experts are primarily for the benefit of the appropriation committees, which, by checking expenditure detail, afford the chief Congressional control of administration. Early in the first session of the 78th Congress, the House voted to provide a staff for its Committee on Appropriations and made $100,000 available for personnel and other expenses incident to the investigations carried on—a staff that would be rotating, with persons from executive departments serving temporarily.[49]

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[45] Clarence Cannon, chairman of the House Committee on Appropriations, referred to by Arthur W. Macmahon in "Congressional Oversight of Administration: The Power of the Purse, I," *Political Science Quarterly*, Vol. 58, No. 2, p. 187 (June, 1943).

[46] See Lindsay Rogers, "The Staffing of Congress," *ibid.*, Vol. 56, pp. 1–22 (Mar., 1941).

[47] H. J. Res. 57, 78th Cong., 1st Sess., introduced by Representative Dirksen.

[48] H. R. 2468, 78th Cong., 1st Sess. A bill of a similar nature, but with provision that the compensation of personnel be paid out of the appropriations of the Department, was introduced by Senator Bone. S. 1556, 78th Cong., 1st Sess. Both Representative Cochran and Senator Bone explained that they proposed these measures (to permit committees to continue to use experts from executive agencies) after the Comptroller General had ruled that a select committee cannot secure help from government agencies unless the matter being investigated has a direct bearing upon the activity of the agency when the request is made.

[49] H. Res. 69 provided the staff and H. Res. 116 made the appropriation.

Later in the same session, the Senate likewise authorized the employment and payment of experts to serve its Appropriations Committee.[50] Specific provision for "examiners and other personnel" to acquire adequate information for use of subcommittees of the Committee on Appropriations would be made in a resolution introduced by Representative Ben Jensen.[51] Hearings have been held on a House resolution to establish an Office of Fiscal Investigation, with "inquisitors" whose sole duty would be to obtain information on the functioning of the executive departments and independent agencies to determine if proposed appropriations would be used efficiently and economically.[52] The department heads would furnish the Office with whatever information it requested, permit the examination of their books and files, and allow the investigators to spend such time as they might deem necessary in the offices or working establishments of agencies. The resolution's sponsor reiterated: "I deem it highly important for the House of Representatives to have fiscal agents of its own who will follow up these appropriations and be able to advise us in detail just how the money is expended."[53]

From the standpoint of integrating the staff into the established machinery, there is merit in Representative Dirksen's proposal to create a Federal Efficiency Service in the General Accounting Office.[54] The activities of the Service would be closely linked with the Bureau of the Budget and would include long-range fiscal planning as well as intensive study of segments of the administrative hierarchy with a view to streamlining. Two further bills seek to implement the General Accounting Office for staffing purposes. The first would appropriate $20,000,000 to the Comptroller-General so that he might equip himself to carry out his express responsibility of making reports and recommendations to Congress.[55] The second would strengthen the Comptroller-General's powers and make mandatory surveillance of the overlapping of duties and functions in federal agencies.[56] "The purpose of my two bills," Representative Jones explained, "is, first, to give him [the Comptroller-General] the money, and second, to make his services available to any member of

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[50] S. Res. 193, 78th Cong., 1st Sess.

[51] H. Res. 325, 78th Cong., 1st Sess. The funds for these examiners would be provided by H. Res. 326.

[52] H. Res. 358, introduced by Representative Fritz G. Lanham. This measure had been introduced earlier in the session by Representative Lanham as a bill, H. R. 83.

[53] Letter to the author from Representative Lanham, Oct. 12, 1943.

[54] H. R. 30, 78th Cong., 1st Sess.

[55] H. R. 3275, 78th Cong., 1st Sess. This appropriation reveals Representative Jones' idea of the "enormity of the task," which he feels similar proposals introduced by other Congressmen do not recognize. Representative Dirksen's bill to establish a Federal Efficiency Service appropriates only $2,000,000.

[56] H. R. 3274, 78th Cong., 1st Sess.

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Congress, in addition to committees, who has the desire to delve into expenditure of money by federal departments and agencies."[57]

Another alternative for staffing appropriation committees is offered by Representative Jones' bill to make the Bureau of the Budget an independent establishment.[58] The Bureau would henceforth report all findings and recommendations to both the President and Congress. According to the sponsor, the agency's efforts would accrue to the benefit of the legislative branch as well as the executive.[59]

Section 212 of the Budget and Accounting Act of 1921 already provides: "The Bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and information as it may request." One investigator recently stated: "It is at once apparent from the organization of the Bureau of the Budget as well as from this language [Sec. 212] that it was not meant to be an advisory agency to Congress in the same manner in which it advises the President."[60] Be that as it may, neither the law nor the organization precludes closer relationship between the Bureau of the Budget and Congress. If appropriation committees feel the need of "specialized counsel," they might wisely call upon Budget Bureau examiners, who undoubtedly would be quite as well informed on the needed outlays of agencies as are the latter's own spokesmen. Although constant coöperation between budget officials and appropriation committee members is common practice in state government,[61] by contrast in Washington the "sub-committees (on appropriations) seemed to be provoking the bureaus to revolt against Budget control."[62]

Full utilization of the analysts of the Bureau of the Budget by the appropriation groups would be infinitely better than duplicating them with a new staff of experts attached to the committees. It would likewise be better than implementing the General Accounting Office, thereby involving it still further in expenditure control. Making the Bureau of the Budget an independent agency to foster this coöperation would, however, place the executive budget system, which was a generation late in its adoption, in jeopardy at the very time when it is coming to maturity as an efficient agent of executive management.

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[57] Letter from Representative Robert F. Jones to the author, Oct. 20, 1943.

[58] H. R. 3273, 78th Cong., 1st Sess.

[59] Letter from Representative Jones to the author, Oct. 20, 1943.

[60] Norman Pearson, "The Budget Bureau; From Routine Business to General Staff," *Public Administration Review*, Vol. 3. No. 2, p. 217 (Spring, 1943).

[61] See the author's *Rôle of the Governor of Michigan in the Enactment of Appropriations* (Ann Arbor, 1943), p. 168.

[62] Arthur W. Macmahon, "Congressional Oversight of Administration: The Power of the Purse, II," *Political Science Quarterly*, Vol. 58, No. 3, p. 411 (Sept., 1943).

The forty or more proposals made in the first session of the 78th Congress emphasize the deep interest in modernization and self-improvement which at present exists within the lawmaking body itself; and the extent to which these numerous suggestions conform to a pattern, while differing in detail, indicates the direction in which Congress is thinking and moving. One measure for checking administration and three for furnishing the appropriations committees with more adequate staff have already been adopted. If the mainspring of the present reform movement amounts to more than the characteristic unhappiness which Congress manifests in wartime, other significant developments may confidently be expected.

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INTERNATIONAL RELATIONS

PEACE PROBLEMS OF TODAY AND YESTERDAY

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The wars which are now drawing to a close can be compared to the Thirty Years War (1618–48), the War of the Spanish Succession, which really began in 1688 and lasted until 1713, and the French Revolutionary and Napoleonic Wars (1789–1815). Each of these wars lasted thirty years or slightly less, and if we begin the present war in 1914, it already has become a fourth thirty-years war.

All of these wars left problems which had aspects in common. In all, there was the problem of returning to the ways of peace, of settling boundaries and governments, of reconstruction, and of maintaining a stable international order. But in each successive war the area involved was larger, the number of participants in the peace was greater, their economic relationships were more pervasive, and a more intensive international political organization was attempted.

At Westphalia in 1648, the effort was rather to establish the independence of states than to organize their interdependence. The ancient structure of the Holy Roman Empire and the universal spiritual authority of the Papacy were crumbling. The national independence of Switzerland and of the Netherlands and the virtual independence of the states of Germany were recognized. The notion of the sovereign territorial state, so different from the conception of a feudal hierarchy which had dominated medieval thinking, took root in men's minds and was promoted by the administration of efficient governments beginning to realize the possibilities of building power upon national sentiment.

The treaties of Westphalia recognized the virtues of arbitration and common action to preserve peace, but as afterthoughts. National sovereignty, acting within clearly defined boundaries and recognizing the precepts of the international law to which Grotius had given form in the early stages of the Thirty Years War, was considered the best instrument of peace and order. In the conditions of Europe, largely peasant and without important land transportation, this position was not unreasonable.

This hope of peace, however, was not realized. Louis XIV, who as an infant became entitled to the French throne in the later stages of the Thirty Years War, sought, in his maturity, to reunite Europe by force, diplomacy, and the marriages of his descendants. The states, with their newly found sovereignty, did not propose to be dominated, and in their alliances and wars against the Grand Monarch, the balance of power was elevated to a principle. One of the treaties made at Utrecht in 1713, which gave the death blow to Louis' ambitions, stated in its preamble that its object was to restore the balance of power. Sir William Temple and King William III of England had understood, and operated on, balance of power principles during the wars, and after them Bolingbroke and David Hume expounded and extolled this principle as a source of order, peace, and national security.

The principle of balanced power, which meant that in a crisis all of the states should collaborate to thwart the ambitions of the most powerful, did not preserve peace, but it did preserve states during the eighteenth century. The genius of Napoleon, playing on the revolutionary enthusiasm for nationalism, upset the balance and conquered most of Europe. The peace of Vienna in 1815 was designed to restore the political equilibrium and the sovereignty of the legitimate monarchs. It, however, introduced a new principle, that of the Concert of Europe. The great powers, conscious of their responsibility for peace and order, were to meet in conferences to preserve the public law of Europe whenever that law was threatened. These conferences functioned as a system during the seven years when Castlereagh was British foreign minister, but after him British isolationism and the American Monroe Doctrine weakened but did not destroy the system. With the exception of the mid-century period of national wars in Germany, Italy, China, Paraguay, and the United States, the European Concert, supported by British sea power, British economic power, and British diplomacy, guided international relations and kept the peace in Europe better than in any century since the *Pax Romana* of the Antonine Caesars.

This comparative tranquillity was ended by the rise of the United States and Japan as great powers, the weakening of the relative position of Britain, the increasing concentration of economic power, the development of a high degree of interdependency among nations, and the capitalization, mechanization, and totalitarianization of war. New inventions, especially in the fields of power transportation, of electrical communication, of aviation, of democratic government, of public administration, and of propaganda contributed a great deal to these changes in the conditions of world politics. The balance of power was broken, and the Concert of Europe, lacking the participation of the great non-European powers, could not rectify it.

The war which began in 1914 has aroused men's minds to the fact that international politics has become a world, not merely a European, phenomenon; that the world is small and is becoming smaller; that its parts are interdependent; that each of these parts is doomed to be drawn into any war between great powers; and that war is bound to be more expensive than ever before, whether measured by the percentage of national production necessary to sustain it, by the destruction of human life and

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property, or by the magnitude of the distortions of economics for years before and after the active fighting.

Realization of these facts by the public has been painfully slow. In the United States and in the British dominions, men could still think of isolation as had the men of Westphalia. In England itself, men could still think of the balance of power as had the men of Utrecht. On the continent of Europe, men could still think of the Concert of Europe as had the men of Vienna. The leaders, it is true, realized, even in 1918, that none of these systems of world politics was enough. They have realized it more vividly at the recent Moscow, Cairo, and Teheran conferences; and both peoples and parliaments appear ready to accept their conclusions.

The problem remains of establishing an effective organization of the world as a whole with enough power at the center to maintain law and prevent aggression, but with assurances that that power will not be used to subvert human liberty or national autonomy.

In each of the great peace conferences of the last three centuries, the problem of international order has been faced, but as they succeeded one another, population increased, trade expanded, agriculture and industry became more productive, peoples became more literate, and publics asserted more influence on policy. The steamboat, the locomotive, the automobile, and aircraft, shortened travel times. The printing press, the newspaper, the post office, the telegraph, the telephone, and the radio reduced communication time until the world became no larger than an assembly hall. The old truth was illustrated that as social and economic relations become more extended and more intense, the price of order is more universal, and more intensive, legal and political organization. The statesmen must have the ingenuity to effect that organization, and the people must have the will to make it succeed, or the world will be faced by more frequent and more destructive wars.

Let us consider three aspects of the problem—the procedure of peace-making, the principles of world order, and the application of these principles to prevent aggression and to promote welfare and justice.

Peace-making during the past four centuries has developed a pattern of armistice, peace conference, and peace treaty. When the treaty is ratified, war is ended and peace begins. The theory of this pattern does not correspond to the facts. War is in fact the culmination of a wave of increasing international tensions and minor hostilities, and peace is the recession of that wave with diminishing hostilities and tensions. The problem of peace-making is not in fact confined to the ending of active hostility, but is a continous effort to diminish the amplitude of these waves. It is like the problem of controlling booms and depressions.

The traditional process of peace-making dramatizes a mistaken idea, induces an unjustifiable relaxation, and results in a false sense of security when the "peace" is ratified. It has other disadvantages. The armistice sustains active hostility, but does not end blockade. To the defeated, it may usher in a period of quasi-peace worse than war. Furthermore, the peace conference, though theoretically a negotiation in which the belligerents are equal, is actually a dictation by the victor to the vanquished. The latter is ordinarily required to establish a government which is satisfactory to the victor and which can sign the peace treaty. But that government, having signed a dictated peace, loses prestige with its people and presently a government pledged to destroy the treaty comes into power. By this method the victors assure the eventual destruction of their work. Under the traditional pattern, the peace treaty itself has usually been more concerned with boundaries and reparation than with operative international institutions. It has been a static instrument ill-adapted to cope with changing conditions.

Instead of this ancient and inadequate process, men are today thinking of the building of dynamic peace even while fighting is in progress. The process began before the United States was in the war, with the declaration of the Four Freedoms and the Atlantic Charter. This was followed soon after Pearl Harbor by the Declaration of the United Nations, and the Master Lend-Lease Agreements. The process has continued in the Hot Springs Food Conference, the creation of UNRRA, the Atlantic City conference, and finally the Moscow, Cairo, and Teheran conferences. The principles of a world order of security and justice, and institutions to apply and develop them during the transitional period, have been in considerable measure established already. It is possible that there will never be either a peace conference or a peace treaty. The United Nations, which constitute three-fourths of the world's population, may well assume the responsibility to speak for the world community as a whole, as indeed they declared that they did in Moscow, and to set forth principles which will constitute legal obligations for all the nations and all the peoples.

As the Federal Convention of 1787 produced a constitution "for the people of the United States" and declared that it would be binding when ratified by nine of the thirteen states, so the principal United Nations must formulate the constitution of the world order and declare that it will be binding when accepted by a suitable number of the United Nations and the neutrals. Such an assumption of responsibility to establish conditions to which the enemy nations and a few recalcitrant neutrals would have to conform would be more realistic and less hypocritical than the façade of consent, feebly concealing the reality of dictation, characteristic of peacemaking in the past. Reconstruction after the American Civil War was far from satisfactory, but it made a peace that stuck, and it made it not by false negotiations, but by the policy of the victorious North speaking in the name of the United States as a whole. Doubtless the result would have

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been better if that policy had been dominated by Lincoln's wish "to bind up the wounds" rather than by the vindictiveness of Thaddeus Stevens, who wished to treat the South as "conquered soil."

We must think of the process of peace-making as proceeding from successive impulses from the Big Four, first accepted by the other United Nations, then by the few neutrals, and finally by the enemy powers. What is required is a skillful statesmanship that knows how to combine decision with justice, force with persuasion, and promptness with deliberation.

The League of Nations failed primarily because the failure of the United States to join destroyed the faith of the other powers and deprived the League of the capacity to grow and to adapt. The League also suffered from flaws in its principles and its structure. Though these might have been remedied if all the important nations had been determined that it should succeed, in fact they presented fatal obstacles in certain critical situations.

One of these flaws was the lack of universality and permanency. The League hoped to be universal, but it was a contractual organization. It consisted of members who were voted in, who ratified the Covenant, and who could withdraw on two years' notice. It was not recognized that such a contractual relation can be effective only within a legal order and cannot itself create a legal order. The latter rests upon the will of the people to maintain law, order, and justice. The United States of America became a legal order when the people accepted Webster's interpretation that the Constitution proceeded from "we the people of the United States" and rejected Calhoun's insistence that the Constitution was a contract between states. International law has always regarded its rules as binding upon all states by virtue of their existence within the universal community of nations.

The United Nations must proclaim that the new organization to maintain international law and prevent aggression has a universal competence. All states must be members in the sense of being bound by its obligations, and no state may withdraw and defy it as Japan withdrew from the League of Nations and defied it in 1933. This principle implies a distinction between the legal membership of all states and the political participation of governments which should be limited to those recognized to be reliable. The enemy states should be members in the first sense from the beginning, though their governments may, for a time, be deprived of the opportunity actively to participate, as were the governments of Southern states for the period after the Civil War.

A second principle upon which the League was not clear is the outlawry of aggressive war and the elimination of neutrality. If the world is to have order under law, external violence by a government must be characterized as aggression, as defense, or as police. In civilized systems of law, intentional violence by one individual against another is either crime, justifiable self-defense, or police action. There is no place for duelling, which presents the only analogy to war as it was recognized in international law before 1914. The law of neutrality, based on the theory that non-participants in war must be impartial and must aid neither side, illustrates the character of war under that law as a permissible method of settling international controversies—as a trial by battle or a duel of honor.

If totalitarian fighting is to be eliminated, as it must be if civilization is to continue, that idea of war and neutrality must be abandoned. The world must provide itself with institutions to determine, whenever hostilities occur or are threatened, which belligerent is the aggressor and which is the victim defending himself. It must provide itself with means for preventing and stopping the fight, for preventing the aggressor from profiting by his venture, and for protecting the victim. With such a theory, clearly neutrality has no place. All states need not be obliged to participate in active sanctions against the aggressor, but all must morally favor the forces of law and order and oppose the international criminal.

The principle was implicit in the Pact of Paris, commonly known as the Kellogg Pact, which made illegal any effort among its parties to settle disputes except by peaceful means, and recognized that any party which violated this obligation rendered itself liable to sanctions by the other parties. The Pact, however, lacked adequate procedures for applying its principles, and the effort to incorporate it in the League of Nations Covenant, thus stopping the gap in that instrument through which war might leak, was unsuccessful. It is worth recalling, however, that the elimination of the obligation of the old law of neutrality, to be impartial between the belligerents, was utilized by the United States in justifying the Destroyer Deal and the Lend-Lease Act before its entry into the war. The Kellogg Pact, ratified by nearly all countries of the world, has gone far in establishing this indispensable principle for a peaceful world order; but it needs implementing procedures.

A third principle is that which subjects all disputes to some form of third-party judgment. To be judge in one's own case is the essence of lawlessness. Yet international law in the past has recognized this as a prerogative of the sovereign state. According to the Permanent Court of International Justice, no sovereign state is subject to any international jurisdiction except with its own consent. It is true that the optional clause of the Statute of the Court created a jurisdiction for all states which accepted it, and in the late 1920's a large proportion of the states did accept it. It is also true that the Covenant required submission to the Council of political disputes which threatened a rupture. Such procedures must be strengthened by giving the Permanent Court of International Justice competence to decide the legal aspects of any interna-

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tional dispute on unilateral application by one of the parties, and by widening the authority of the world council to deal with the political aspects of international disputes. The Council must be competent to act without counting the vote of the disputing states. The insistence on absolute unanimity in the preventive procedures under Articles 11 and 19 of the Covenant was unfortunate.

Finally, the international order must rest upon individuals as well as upon governments. It must protect fundamental human rights and must provide for the punishment of individuals guilty of crimes against international law. This principle is necessary because no political organization can be strong unless it rests upon the sentiment of men. A government cannot be relied upon to observe its international obligations unless the public, from which its power derives, is composed of individuals who, in addition to being citizens of the nation, are also citizens of the world, insistent that international law shall be observed. Governments representing nationally-minded publics will be nationalistic themselves.

Furthermore, democracy requires that the state be for man, not man for the state. International law of the past, in holding that states alone were its subjects, permitted the state to oppress and massacre its own nationals. Intervention in the domestic affairs of other states has in principle been illegal. While normally it is preferable to let each state make and enforce law within its domain, international law loses its reason for being if it tolerates a complete suppression of man by the state. Protection of fundamental rights for preserving the dignity of human personality must be a matter of concern to the international legal order. While intervention in internal affairs should be forbidden, the gross violation of human rights should not be regarded as an exclusively domestic matter.

It has often been remarked that a state is difficult to coerce. The state is an illusive abstraction. To coerce it is war, which arouses all patriotic citizens to defend their state even though they oppose the policy of their government. Such coercion also visits hardship upon the innocent as well as the guilty. With these considerations in mind, sanctions should be exerted, not against states, but against governments. The state, being a creation of law, should be regarded as incapable of committing a crime. If aggression occurs, it should be considered the act, not of the state, but of the government, which has acted beyond the legal authority of the state. The government should, therefore, be considered responsible, not only to the international community, but also to its own state whose basic obligations it has betrayed. If the international organization applies sanctions against the government, it can properly ask loyal citizens of the state to work with it and against the delinquent government. Such a theory requires that the individual, as well as the state, be a subject of international law.

A peaceful and orderly world requires more than universal commitment to sound principles. It requires also adequate international organization, effective procedures, and a continuing will to use them by governments and peoples. Lack of the latter by the principal governments was as important in the failure of the League of Nations as was the non-universality of the League and the flaws in the principles and procedures established by the Covenant. The United States impaired the faith of Britain, France, Italy and Japan in the League when the Senate refused to consent to ratification of the Covenant. Germany and the Soviet Union, not at first invited, later became members. The Soviet Union adhered faithfully to the letter and spirit of its obligations from its entry in 1934 until the Munich Agreements convinced it that Britain and France had abandoned League principles. Germany, although a member of the League from 1926 to 1935, was always faced by a considerable domestic opposition, hostile to the League because of its association with a lost war. A will is needed, but so is an effective organization to maintain it and to channel it.

The first problem of international organization is security. Peoples dependent on their own arms alone for defense will tend to sacrifice welfare and justice for a superior power position. In the modern world, such a position requires assurance that a state will have essential war materials and supplies of food within the area it can control during any probable war. To gain such assurance, states pursue policies of economic self-sufficiency and territorial expansion unfavorable both to economic welfare and to peace. The only solution is a system of collective security under which each state will depend for its defense, not upon its own arms alone nor upon a balance of power, but on common action of all states against aggression.

The League's experience has shown that a system of collective security, dependent on the political willingness of governments to carry out sanctioning obligations after a crisis has arisen, is likely to fail because of the fear of each government that others will not collaborate and because of slowness in getting under way. With experience of these difficulties, the idea has gained ground that collective security should be implemented by an international air force recruited by volunteering and immediately at the disposal of the international council. Such a policing force, based on internationalized islands or other bases at strategic points throughout the world, could act as the spear-point of a collective security system. It could immediately be on the spot where aggression is occurring or is threatened, and could thus deprive the government contemplating aggression of the hope that it could gain its ends before the peace-loving nations organized their sanctions. Such an international air force would add to world order what the uniformed police of modern states has added to the sheriff's posse. It would not be able to deal with serious aggressions unless supported by the armies and navies of the peace-loving states of the world, but it would be able to deal rapidly and effectively with lesser aggressions which might, if left alone, develop serious war. It would also be able to launch an initial attack, even upon a major aggressor, and thus to stimulate the peace-loving governments to fulfill their sanctioning obligations.

The problem of determining the aggressor never proved difficult in League experience. The Council, faced by a threat or an active aggression, could order the governments involved to withdraw their forces behind prescribed lines, and could then send a commission to the spot to see that these orders were carried out. If both the disputing states responded, hostilities would be averted. If one failed to respond, that one would be properly designated the aggressor. In the cases which came before the Council, this procedure proved effective to determine the aggressor. The difficulty arose because of the lack of sufficient power and will to act against the aggressor in a manner to deter or stop his aggression.

There has been concern lest an effective international police force should endanger national liberties, but with a relatively small force, usable only when authorized by the international Council and with that Council fairly representative of the principal nations there would be little danger of this, even less danger than that the executive of a democratic state will establish despotism by subversive use of the army. In an international society, as in national societies, the only ultimate protection against tyranny is eternal vigilance of the people to maintain law and constitutional procedures. Such vigilance would be necessary if the international constitution is to be preserved.

Welfare and justice are the ultimate objects of international organization. Unless they are in a measure achieved, a system of security will eventually break down. But if people are confident that security has been achieved for a considerable time, the opportunity is offered to develop a freer and less discriminatory international economy, to establish adequate procedures of peaceful settlement and adjustment, to advance international justice, and to assure the protection of fundamental human rights. The details of organization and law to accomplish these results can be developed only gradually and only in a world which inspires general confidence in its stability. This is a task of the future.

The first task is to win the war, and the second is to establish the fundamental institutions of international security. Toward the achievement of these tasks, the Moscow Conference made important strides. The solidarity of the Great Powers in the war effort was affirmed. Commissions on Europe and on Italy were established, and the authority of the great nations to assure stability during the transitional period in behalf of the international community was asserted. More important still was the declaration of the four powers concerning permanent international organization for peace and security. The inclusion of China indicated that world-wide organization is contemplated, as did the assertion that the organization is to be general and open to all peace-loving states. The assertion of the principles of "sovereign equality" of such states recognized the claim of small states to have their rights respected, though it is to be hoped that the word "sovereignty" will not be permitted to militate against the establishment of a general law binding all, and workable procedures for changing the law as conditions change. Sovereignty, compatible with the maintenance of international peace and security, must mean freedom under law, not absolute freedom.

Especially notable in the Moscow declaration was the assertion of an intention to establish the general and permanent organization "at the earliest practicable date." With the support offered by the Fulbright and Connally Resolutions passed by the United States House and Senate, and with the indication by several polls of a public opinion anxious for American participation in effective international organization, it is to be anticipated that successive steps toward the realization of this organization will proceed during the war. With such a development, the prospects of pioneering new procedures in peace-making will be excellent. Instead of following the precedent of peace-making by agreements which are actually dictated by the victor, thus encouraging the vanquished to prepare for revenge, the community of nations as a whole under the leadership of the United Nations and of the Big Four must organize itself and proclaim the principles of peace, security, and justice; the means to punish present aggressors and to prevent future aggressions; and the institutions for reconstruction and for the administration of international justice. By such a procedure, the transition from war to peace may proceed by orderly process and with effective results.

POST-WAR PROBLEMS IN OUR LATIN-AMERICAN RELATIONS*

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Any discussion of postwar problems in our relations with Latin America must begin with a consideration of the great changes which have taken place in hemisphere relations during the war period. Since 1939, the American Republics have achieved a degree of coöperation in international matters which would hardly have seemed possible a few years earlier, and today all but one of the nations of the Continent are helping the United States either as belligerents or as non-belligerents in the prosecution of the war.

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On the military side, our neighbors have given us bases for our Naval and Air Forces and have strengthened their own armed forces, in most cases with the aid of missions from our Army and Navy. Some of them have taken an active part in anti-submarine operations, and Brazil is preparing to send forces abroad. On the political side, they have set up machinery for coöperation in dealing with fifth column and other hostile activities. The importance of their coöperation in these matters is inestimable. Of still more significance, perhaps, has been their economic aid.

After Pearl Harbor, Latin America became one of the great sources of supply for raw materials which we desperately needed in our war effort: copper, tin, manganese, nitrates, sugar, petroleum, and many others. To maintain and increase the production of these commodities was a matter of the greatest importance. It was hardly less important to have Latin-American coöperation in developing the production of other commodities which had hitherto come from tropical regions now under enemy occupation. Rubber was, of course, the most important, but hemp, quinine, and various sorts of vegetable oils were also urgently needed. We and some of our neighbors have entered into ambitious projects for creating new supplies of such products in the Western Hemisphere, establishing experiment stations and experimental farms, bringing under cultivation large amounts of land, and mobilizing great numbers of laborers. These projects have involved the development of hitherto sparsely inhabited areas where there are formidable problems of transportation, manpower, food, and disease. To deal with these, we have sent hundreds of specialists to Latin America and have spent many millions of dollars. Such operations create countless new forms of contact between our government and those of our neighbors, and today North American officials are participating in the conduct of purely domestic affairs in Latin-American countries to an extent which would have seemed unimaginable a few years ago.

There has never been a period when inter-American coöperation was so close or so effective. It is extremely important that inter-American relations should continue on the same plane during the uncertain and difficult period which will follow the war. Unfortunately, there is no certainty that they will so continue, unless we can overcome several rather serious obstacles. Some of these are already present, and now prevent the fullest coöperation on the part of the people, if not the government, in certain Latin-American countries. Others will come to the fore as the war emergency passes.

In the first place, we must face the fact that there is still much dislike and distrust of the United States south of the Rio Grande. There is inevitably jealousy, and some fear, of a nation so much richer and more powerful than any of its neighbors. This feeling will find much to feed on in the very measures which have gone so far toward drawing the two portions of the Hemisphere together during the conflict. We have troops in several Latin-American countries, and we are using parts of the territory of several countries as naval and air bases. We have missions of all sorts advising their governments in military matters, in agriculture, in public health, in public finance, and in many other fields. To us, all this seems encouraging evidence of an increasing spirit of Pan-American coöperation. To persons in Latin America who distrust us, or to uninformed persons who are influenced by hostile propaganda, it may well seem something quite different. The presence of foreign troops in a country is always apt to be distasteful to the inhabitants; and foreign advisers, if they do their duty, will sometimes have to give advice which will offend local interests or local susceptibilities. Furthermore, the mere fact that large numbers of foreigners, with apparently unlimited funds at their disposal, are actively concerned with a country's internal economic and social problems must be disturbing to many persons who have no particular prejudice against the United States. There has apparently been little outspoken opposition to coöperation with the United States in the war effort, but there have been many suggestions of uneasiness about the way in which we might use our wealth and power if there should be a change in our policy. The fear that our policy may change is, of course, strengthened by political criticisms of the Good Neighbor policy and by the realization in Latin America that some of these criticisms are well founded. We could hardly expect any government to embark on a program of such magnitude, involving so many new problems, without making mistakes.

Probably not very many thinking people in the United States would advocate the abandonment of the Good Neighbor policy, if we understand by that phrase a policy of non-intervention in our neighbors' affairs, of coöperation in matters of common interest, and of settling disputes by agreement or arbitration rather than by taking advantage of our superior power. These are principles which were coming more and more to govern our policy for some time before the advent of the present Administration, and they are principles which no President of the United States is likely to abandon. It ought to be possible to reassure our Latin-American friends on that score. Where the danger does lie is in the fact that the situation will change. After the war, and perhaps before the end of the war, we shall no longer need so urgently

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the raw materials which Latin America is furnishing and we shall want to curtail our purchases. This will mean a difficult process of readjustment. Profits from mines and other extractive enterprises will decrease and thousands of men will be out of work. In many places where the United States Government itself has been employing men at wages which seem fantastic by local standards, people who have become accustomed to new ways of living will be compelled to revert to pre-war conditions. In other places, ambitious development projects will have to be curtailed or abandoned. The great reserves of foreign exchange which most Latin-American countries have built up will help to cushion the blow, but we may doubt whether these will be used in such a way as to help the masses of the people. The reopening of European markets and the demand for reconstruction work abroad may offer a considerable measure of relief, but these factors will probably be offset to some extent by the resumption of production in the tropical Far East. In any event, there will have to be an abandonment of wartime enterprises which will cause hardship to many people, and the United States has been too prominently associated with the birth of these enterprises to escape a large share of the blame for what happens.

What we can and should do in this situation will be one of the first great post-war problems. We have already agreed to buy quantities of certain commodities at fixed prices over a term of years, and we shall of course honor these contracts. But there will be demands that we go farther, particularly in the case of industries which we have encouraged to expand to help the war effort. It may seem advisable to do so in certain cases, at least temporarily, both as a matter of equity and as a means of assuring supplies of strategic raw materials from this hemisphere. In general, however, it seems to me that it would be unwise to adopt any program of supporting uneconomic industries in Latin America as a permanent policy, and that farsighted Latin-American statesmen would not wish us to do so. Pan-American solidarity will rest on a much sounder basis if each nation stands on its own feet without asking or receiving special favors which might easily assume the appearance of economic imperialism. The same reasoning would suggest that we should curtail our financial participation, though perhaps not our technical collaboration, in projects like the ambitious scheme for the development of the Amazon Valley.

There is another potential source of bad feeling arising from our wartime economic policy. Much of the money which we have put into development work in Latin America has been spent outright by the United States as a part of the cost of the war, but there are also loans amounting to some hundreds of millions of dollars which our government has made to Latin-American governments through the Export-

Import Bank and other channels. Without attempting to discuss the necessity for these loans, or their merit as business propositions, we may wonder how the existence of large unpaid debts will affect the Latin-American governments' attitude toward us after the war. In countries which can pay, and wish to pay, the effect will presumably be small. But many of these loans were made to governments which were already in default on bonds held by private American investors and which have shown little interest in paying debts to foreigners because they thought that they could use the money better at home. Will there not be the same feeling about debts owed to a foreign government? At best, a debtor-creditor relationship is not a healthy one between states, and we shall be fortunate if the matter can be worked out without causing bad feeling. Happily, the amount involved is not as large as it once seemed likely to be, because our great purchases from Latin America, combined with our inability to ship goods in return, have resulted in dollar exchange balances which have reduced the need for new loans and facilitated the payment of old ones.

There is more danger to inter-American friendship, perhaps, from the political problems which seem likely to present themselves. During the war, we have worked with the governments which happened to be in power in Latin-American countries. Most of these are régimes which came into office and have remained in office, not through fair elections, but by the use of force. Coöperation with us in the war effort has greatly strengthened these régimes as well as the governments which are not dictatorships. In the Caribbean region, especially, it is usually very difficult to overthrow a government which is popularly supposed to have the support of the United States. It is more difficult when the government has plenty of money to spend. The courtesies which we have extended to chiefs of state, our loans and development projects, and especially our shipments of actual military supplies on a lend-lease basis, have all tended to support the status quo. It would be most unfortunate, in fact, if we did not have a considerable measure of political stability in Latin America during the war period.

The other side of the picture, of course, is the antagonism which our policies arouse among the opposition parties, and the temptation, which inevitably exists, to foment anti-American feeling as a means of weakening the governments in power. Groups which seek to use anti-Americanism as a political issue will, of course, be encouraged and aided by our enemies in other countries. Their activities will grow more embarrassing to us as the régimes with which we are allied begin to lose the popular support which many of them now have; for almost all dictatorships in Latin America sooner or later outlive their welcome. The situation may be especially bad if there is an economic depression, and consequently

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a period of serious political unrest. We may need all of our statesmanship, and all of our patience, to establish satisfactory relations with a new crop of Latin-American governments in the post-war years.

Besides these more or less transitory problems which will remain as an aftermath of the war period, there will be questions of a more fundamental nature. In the first place, what will be the general character of the political relationship between the American nations in the post-war world? Obviously we cannot answer this without knowing what our relationship with the rest of the world is going to be, but we can attempt to foresee how our position in the Hemisphere might be affected by the adoption of one or another of the various courses open to us.

It is not very probable, for example, that our neighbors would willingly follow us in a policy of isolation or in any attempt to build up a regional bloc in the Western Hemisphere. Aside from their inevitable reluctance to cut off their long-standing commercial and cultural ties with Europe, they would fear, with reason, that such a course would expose them to domination by the United States; and their fears would not be entirely unfounded, since we very possibly might be compelled to give up our policy of non-intervention, at least in the Caribbean. We could adopt this policy in the 1920's because it seemed improbable that any other power could endanger our interests in the Caribbean, but new military techniques and new techniques of ideological and economic aggression in peace-time have completely changed our situation. Isolation, therefore, would very possibly involve us in a new era of imperialism which would be fatal to the Pan-American ideal. The situation would be but little better if we set up a world organization openly dominated by the military power of a few great nations, for this would still mean that the American continents were dominated by the United States and that we would have to play the game of power politics to safeguard ourselves against an eventual breakdown of the system.

On the other hand, if we take part in an international organization in which the small states feel that they have a fair participation, we may expect to find Latin America standing with us in any effort to establish international fair play and to promote the settlement of disputes by peaceful means rather than by force. The Latin-American states have always taken an active interest in measures designed to put international relations on a civilized basis. Their publicists have contributed substantially to the development of international law, and their statesmen have coöperated with ours in building up an extensive Pan-American system of peace machinery. At one time, most of them were active members of the League of Nations, though disputes over dues and general disillusionment later caused several to withdraw.

Whether they would be prepared to permit the new world organization to exercise any real authority where their own interests were concerned is more doubtful. They are even more jealous than most nations of their absolute independence and less disposed to submit to dictation from any outside source. In the one case where the League of Nations attempted to apply sanctions on the American continent—the Chaco war—it received little coöperation from the neighbors of the two belligerents, and it was evident that the idea of permitting an American nation to be coerced by an outside agency was distasteful. A recent statement of the basic principles of the inter-American system, published by the Pan-American Union, states that this system "specifically repudiates all pretense at the establishment of a super-state, and denies any pretext at recourse to force or the imposition of sanctions to compel a state to adopt a particular policy or follow a particular course of action." If this continues to be the attitude of the other American republics, the creation of the sort of league which many of our publicists advocate might complicate rather than help our relations with them.

The future of our economic relations with Latin America will depend also to a considerable extent on the character of the world community which comes out of the war. Commerce and the movement of capital will take place under one set of conditions if there is international coöperation and under quite different conditions if a narrow nationalism continues to dominate economic policies. But in either case, Latin America will play an important part in world trade. Barring changes that we cannot now foresee, Argentina will continue to be one of the world's great exporters of meat and cereals; Brazil, Colombia, and Central America will supply most of the world's coffee; and Cuba will continue to produce sugar. The great oil reserves of South America will be increasingly important, and especially important to us if our own supply is dwindling as fast as we are told that it is. There will still be a demand for copper, tin, manganese, and nitrate. New commodities, such as rubber, manila hemp, rotenone, castor beans, and quinine, which formerly came chiefly from other tropical regions but which have been developed in the Western Hemisphere as a part of the war effort, may continue to play a part, though probably a minor one, in the economy of the Hemisphere.

Concentration on the production of a few great staple commodities has made Latin America important in world trade, but it has also created some of the region's most troublesome economic problems. Coffee-growing countries, for example, were severely affected in the pre-war years because production exceeded the world's capacity to consume. This situation has perhaps improved with the greater diversification of crops in Brazil, but if coffee again becomes profitable we may

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expect more planting and the eventual reappearance of overproduction. Sugar is another industry which has passed through bad periods, for sugar, like coffee, requires a capital investment which makes it difficult to reduce output when prices are low. In both cases, international action to restrict production has been attempted, but with little result. In the case of these two commodities, and also in the case of others like wheat, copper, and nitrate, it will probably be necessary to find some solution through international coöperation for the problem of overproduction. We may hope that this will not merely involve restricting production, and that the emphasis will rather be on improving distribution and increasing consumption. We ourselves, as the greatest single market for many Latin-American products, will have to play an important part in any plan worked out.

While continuing to export foodstuffs and raw materials, the Latin Americans will have to continue to import industrial products if they are to maintain and improve their standard of living. It is true that there has been a remarkable development of manufacturing in Latin America during the past twenty-five years and that in some countries many products such as textiles, shoes, and canned goods no longer have to be obtained chiefly from abroad. Even in such countries, however, there is still a great market for machinery, automobiles, motion pictures, and other goods which are not made locally and are not likely to be made in large quantities in Latin America in the foreseeable future. Furthermore, partial industrialization, of course, creates new wants which can be satisfied by foreign trade. The possibilities for further industrialization in Latin America under present technological conditions do not seem very great, for few if any of the countries have the resources necessary for the economical establishment of heavy industries, and difficulties of transportation restrict markets and make mass production difficult.

In other words, the Latin-American countries will continue to depend on foreign trade, and our own foreign trade policy will have an important effect on our relations with them. Fortunately, many of their products now come into the United States free of duty. But we have only to think of Argentine meat and Cuban sugar to perceive that many difficult problems will arise. I suspect that our neighbors will be rather anxious to attempt to solve these problems on a world-wide rather than a hemisphere basis, as they will naturally be suspicious of any proposals seeming likely to make them economically dependent on the United States. Here again the question of the sort of world which we are going to have is of decisive importance. In economic as in political matters, we may hope for the coöperation of Latin America if our policy is directed toward an effective world coöperation.

The Latin-American countries are also going to need foreign capital, for industrial development, for the creation and improvement of public utilities, and to meet many of the other necessities of undeveloped regions which are moving rapidly toward a higher standard of living. Capital can probably be obtained only from the United States in the post-war period, and it is difficult to see by what mechanism we shall be able to provide it. In the past, capital has gone into Latin America either in the form of publicly issued loans or through investments by private interests which have generally operated under concessions and have kept the management of their enterprises in their own hands. In the post-war period, it will obviously be impossible to sell further issues of Latin-American bonds in the American market until much more has been done to wipe out the recollection of recent defaults; and the resumption of direct investment in the form in which we have known it in the past seems equally unlikely in view of the aggressive economic nationalism that has inspired the policy of nearly all of the governments of the continent during the past ten years.

There is probably no one answer to this problem. Some partial solutions are already beginning to appear. Even under present conditions, many foreigners who know what they are doing have found attractive investment opportunities despite laws restricting the employment of foreign personnel, exchange controls, and other devices which have been used to make things hard for the larger foreign companies. Enterprises jointly financed and controlled by foreigners and natives also offer possibilities, though only limited ones, because there are relatively few natives who have money to invest in this way. Perhaps some of the refugee capital which has recently flowed into Latin America will remain there. It is also possible for the local governments to carry on some development work, like road-building, with funds raised from taxation—though low national incomes and defective tax systems make the execution of extensive projects difficult. Progress achieved through these partial solutions probably rests on a sounder basis than more ambitious undertakings inaugurated by means of foreign loans and concessions; but it is necessarily slow. A more effective means of obtaining foreign capital will probably have to be found if some of the poorer Latin-American countries are to develop their natural resources and raise the very low living standards of their people. Perhaps as more normal conditions return a realization of the importance of national credit will lead to a change of attitude toward contracts and foreigners' property rights. It should not be impossible to prevent foreign economic domination, which has been a very real evil, and at the same time to protect the foreign business man in his legitimate interests.

I have sketched very briefly some of the questions which seem likely to arise in our post-war Latin-American relations, without attempting to say how we should meet them. It would probably be futile to propose solutions now for problems which will look very different when they actually arise. We can only prepare as well as we can to deal with them intelligently and effectively when the time comes. On the one hand, we can try to see that public opinon, which in the long run controls the policy of our government, is better informed. On the other, we can maintain and strengthen the governmental agencies upon which the responsibility will primarily rest. If we can make sure that the problems which will arise will be dealt with by men who understand the Latin-American point of view and who have the technical and moral qualifications which the job requires, we shall not have to worry very much about abstract questions of policy.

INSTRUCTION AND RESEARCH

THE EDUCATIONAL FUNCTION OF SOCIAL SCIENTISTS*

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For the purposes of my discussion, I am defining "educational function' broadly. I take it to comprehend not merely instruction of the youth who regularly resort to academic lecture halls and libraries, but also the impact of such special knowledge as we accumulate upon the adult population generally, and especially upon the officials in government, industry, commerce, agriculture, and labor with responsibility for policy, decision, and operation of our major political and economic institutions.

The entire burden of my remarks is a plea that in the years ahead we move together as a family of related intellectual workers to define more precisely the profession of social scientist. Especially, I urge that we consider together the broadening of the domain of our profession so that, although it remains based in academic life, it will penetrate, as a recognizable, self-disciplined group of investigators and staff advisers, the major extra-academic institutions of our national life.

I am not suggesting the breakdown or blurring of our traditional grouping into political scientists, economists, sociologists, statisticians, psychologists, and anthropologists. I agree with my colleagues that such groupings are an inevitable basis for the specialization necessary to the development of any science. I agree with them also that it would be profitable to explore all intellectual and institutional means for cross fertilization of the major ideas, methods, and hypotheses of our separate groups—perhaps even to establish a common set of underlying values which would give greater coherence to their otherwise rather pluralistic tendencies.

But here I wish to consider, not the content of political and social science, or the relationship between their contents; rather the further development of an occupational structure in which social scientists can work freely and more effectually as a limited group serving a particular rôle in our culture. The opportunity presented us for such a development, it seems to me, was definitely within the observable trends of our profession before the war. The opportunity should be enhanced by our war experience. And it is essentially congenial to the larger framework of rationalistic, democratic culture that is likely to prevail after the war.

The broadened profession should include (1) research, (2) teaching, and (3) extra-academic activity as adviser or non-political administrator,

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operating always within the definite standards (professional ethics, if you will) of the social scientist. Although for some, with narrowly limited skills, there will be life-long concentration on one of the three variant activities enumerated above, the normal professional career should include all three at different times and in different proportions. To create an enlarged area of operation and to gain public acceptance for it, to remove barriers to migration from academic to non-academic pursuits, to define clearly and to enforce through professional discipline such limitations as will build the authority and dignity of the profession, to resist attacks upon the independence of the members of the profession acting within the professional code—these seem a task especially for our combined action, where nothing is to be gained by acting alone as political scientists, economists, psychologists, or anthropologists.

The first leg of the base for the development of social science is and has been *research.* During the last generation, social science research was generously encouraged by the universities and philanthropic foundations. Especially, the Social Science Research Council has performed a necessary service in examining the problem of defining scientifically sound, usable techniques in social research. But looking now at political science only, I doubt if many of us find any great satisfaction in the quantity of scientific content accumulated in our field. By this I mean the body of tested, verified knowledge regarding the characteristics and operations of political institutions in our own and other cultures—generalizations to which there attaches the authority of nearly universal agreement among members of the profession. Only with such a body of knowledge can we do anything but pose as scientists without running the danger of being exposed as quacks. Only with such a content are we as a special group of much use to the community, or can we expect to win their general acceptance as such.

For a year or more, a small group of war-worker political scientists known as a Committee on Congress has had as a pleasant extra-curricular activity the exploration at luncheon and dinner of the behavior and defects of Congress in the company of Congressmen and Senators themselves. At the end of the experience we would all agree that among the present practitioners of the art of lawmaking—and staying elected—there exists no body of lore that political science analysis has missed. The Congressmen have, rather, contributed to the professors data of value and further verification of hypotheses previously held tentatively.

On the other hand, some of the professorial committeemen have become acutely aware that political scientists *vis à vis* this problem of Congress and its relation to the Executive and Administration have very little special knowledge or insights which the practitioners themselves do not have. Consider that here is a problem area which has been at the very center of our subject-matter since the publication of the *Federalist.* The showing of valuable, accumulated, tested special knowledge in relation to it seems to be scattered, inadequate, thin. This is not to deprecate the eight to ten studies in the field or the eight to ten very able political scientists who have made them. But if we are right in thinking of elected representative bodies as a necessary central feature of a democratic government, and if we give credence to the currently-held opinion that Congress is revealing weaknesses in its day-to-day functioning that are serious if not shocking, there should be at least forty to fifty qualified specialists from our field, working full time over a period of years in this area, in touch with one another and checking and verifying one another's work.

This particular field may not be typical of political science as a whole. But I fear that it is. I am not speaking in criticism or in despair. In the years ahead, I am confident that the careful, thorough building of a common content with the authority of a consensus of research workers will be of major concern to our Association. What I am suggesting is that we consider research more and more a *common* concern of social scientists—presenting a united front in building the essential social science research structure in our universities, securing the necessary funds from taxation and private philanthropy for research purposes. There are many instances where positive, persistent action is required to create and to conserve even the raw materials (statistical or documentary) for research in one of our special fields. This should become a primary concern to all of us rather than to the particular workers directly affected.

If may be that we should examine the possibilities of broadening the actual functions of the Social Science Research Council or that we should relate the Council more organically to vigorous research groups in our separate Associations. The modest attempt in the American Political Science Association recently to create loose, flexible organs of guidance and interchange among research workers in important areas by means of continuing panels has real promise. It gets at the essential structure of research in any field, i.e., a half-dozen to a half-hundred skilled research workers in each special field known and identified in that field for a decade or more, carrying on their investigations in frequent, informal contact by letter and conference, although often separated geographically—producing a body of impersonalized verifiable generalizations to which all workers in the field give voluntary assent, pending further illumination by further study.

The second leg of the base on which our profession rests is *teaching*—in the narrower sense of college and graduate school instruction. Like all professions, the explicit training of the aspirants for membership in our guild is an essential task both for the maintenance and for the improvement of its standards. Less explicitly, the graduate school of the social sciences, like the medical and law school, is the central point for indoctrination into the ethics of the profession, the things a social scientist does and does not do intellectually and morally. I have felt, as you have felt, in working contact with many a young graduate from our best centers of social science the really important effects of such a residential influence on his professional spirit, his intellectual integrity, and his guild consciousness.

Where the corporate, residential character and the personal influence of teachers fully conscious of the high character of their calling is lost in an individualistic, atomistic, bargain-counter type of graduate instruction, I fear that this essential function of professional instruction is dissipated or entirely lost. I should like to look forward to the day when the social science professions would have a code of intellectual conduct and would visit discipline, disapproval, or ostracism on those who bring the integrity of the guild into disrepute by prostitution of their talents for quick gain, notoriety, or unscientific reformism. But as in the case of medicine, law, and theology, such occasional, painful discipline is not nearly so effective as the quiet building of a social science professional spirit and practice in our graduate schools. Here again it seems to me that we are as strong as the weakest link in our allied professional groups, and should work together in creating a well defined professional ethics.

Some of us may view with misgiving the post-war future of American graduate schools—because of the shrinking of endowments, gifts, and tax revenue available for less palpably reconstructive activities. But if we look upon our world of today and tomorrow and see ourselves comparatively, we are forced to the conclusion that the American university is likely during the generation ahead to become the very center of modern scholarship. It is reasonable to expect that from other countries will come an increasing stream of students in search of the answers to the riddles of political, economic, and social organization and operation which we will continue to face. The social science graduate faculties have responsibilities which are almost frightening—not the least of which is this strengthening, sharpening, and clearly defining in operational terms of the social scientist as a professional.

The older professions such as law, medicine, and theology are limited in their opportunities for instruction to the apprentices entering their professional schools. Social scientists have a much more strategic position in our society. Because of the fundamental need for general understanding of political, economic, and social institutions, it is now all but universally agreed that in some form and quantity the social sciences should be part of general instruction for all who proceed beyond the high school. Our profession, therefore, is not limited to earning its authority by deeds alone. It has the strategic opportunity to inculcate in generation after generation of a segment of the population more than average in quality the principles and practices, the values and limitations, of social science in dealing with social ills.

Here I detect a note of pessimism or cynicism in the remarks of some of my colleagues. It seems there is evidence that although there may be plenty of teaching in this area of general education, there is very little learning—that is, learning in the strict definition of "learn so that I will act on what I learn." I share the pessimism, but not the cynicism, of my colleagues. I agree that by our teaching performance as carried on in wholesale, often listless, desultory fashion, or in sincere but frustrated devotion, we are not succeeding in creating a diffused basis for understanding the social sciences as a resource of special, reliable knowledge in dealing with public problems.

But I am *not* cynical. My main concern for the last fifteen years has been as participant with a small corporate group of teachers in the effort to discover whether teaching can be made into a really effective learning process. Our general conclusion is that, provided we are able to employ enough competent social science teachers to do the essential job of getting at the individual student's thinking and working methods in order to criticize them rigorously and to set tasks designed to improve them, we can get surprisingly favorable results. Further, we must be willing to train and to reward teachers who devote themselves zealously and wholeheartedly to the educational task I have described. Only a few teachers probably are content to do this strenuous task for a lifetime. But with a flexibly-organized profession, a large proportion might be willing to do it for a decade or longer—to everyone's profit.

Many ingenious explanations have been given for the necessity of a good teacher's also doing research. What I should like to stress here is that, looked at broadly and in the long run, the usefulness of social science research depends upon really effective teaching to create a general community acceptance of its methods and results.

Here I have made the loose assumption that the undergraduates whom we reach are a really selected group from the point of view of future community influence. As social scientists, we know that such is not yet the case. If the tendencies toward a fuller social democracy through educational opportunity move up into the college level, we may expect the group most deserving of it on the grounds of ability, desire to learn, and of potential leadership in society to receive higher education. But if this tendency is arrested, I submit that wherever possible we ourselves must go to those of ability who cannot afford college, with such instruction as is possible—if they cannot come to us.

The third leg in the base on which our developing professions should be built is that of *participation in a strictly professional capacity in the great*

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institutions of our society—participation regularly and normally in research, staff advice, and non-political administration.

This brings me to Washington and the War. The very fact that Washington is the place in the United States where most political scientists and economists today can gather by foot, ten-cent bus, or gas-rationed autos indicates that as a profession we are not carrying on business as usual. We have undergone a striking though temporary dislocation of our personnel, which may be of some significance in our post-war professional development. I do not want to over-emphasize the difference in nature of the tasks performed in Washington as compared with the routine of campus life. Many working here in the civil and military branches of administration are doing research, just as they were before, only in a vastly expanded area—and with much less desk room.

In political science, at least, this incursion of teacher-investigators into the midst of the institutional activities about which they have been reading, writing, and talking is not novel. Ever since the days when the young Charles A. Beard as a journalist swung aboard William Jennings Bryan's special train on the big campaign tour of the country in 1896, and Charles E. Merriam took his seat as a member of the Chicago City Council, there has been a definite, growing belief that capable students of politics, in addition to speculating about the number of teeth, or size of the horns, of the politician, should go out and count them. I would estimate, however, that the war has brought a larger segment of political and social scientists into more prolonged and more intimate contact with the operating mechanisms, the concrete, day-to-day problems of the institutions they have been studying than has ever before been the case.

The reasons are clear enough. A vast wartime bureaucracy had to be created out of a tiny nucleus of professional civil servants. All kinds of people were called to Washington or elsewhere to man the positions: industrial executives, salesmen, journalists, and—in large proportion—economists, statisticians, political scientists, and historians. It has been a typically American improvisation, with a kaleidoscopic, competitive struggle for place and power mingled with honest, earnest desire to be of service.

For a period, the academic groups seemed to thrive as well as any. The reasons here also are not far to seek. Many of the war bureaus had to do with the emergency regulation of business, labor, farmers, and housewives. Business men, labor leaders, and farmers possessed the practical knowledge of the things to be regulated. Many were indeed persons of notable skill in sheer administrative operations. But as they also had intimate past affiliation with the parties being regulated, they were inevitably ill-fitted to achieve any impartial umpiring between competing interests.

Academic social scientists, on the other hand, with less intimate knowledge of the regulated activities (though often possessing a more comprehensive view) were especially fitted by the fact of non-affiliation with the parties at interest to act as umpires on behalf of the general interest. In the earlier emphasis upon policy formation, the social scientists consequently were thrust not only into strategic staff positions, but also into important operating rôles with responsibilities for direct, large-scale administration.

The American social scientist undoubtedly shares in large degree our national quality of adaptability and versatility. Nevertheless, the temperament that leads one to scholarly pursuits, with the daily habits and traditions of academic life, is strikingly different from the temperament, habits, physical make-up even, of one who is led to large-scale administration.

By and large, it seems to me both an unnatural and an unfortunate rôle into which the social scientists were thrust by the circumstances of the emergency. Several have made brilliant administrators. Most, I believe, have done competent jobs—often under great personal strain on account of the sudden adaptation required. It is not surprising, however, and in some senses it is fortunate, that in recent months there has been an appreciable shift from what the Congressmen might call the long-haired boys to the silver-haired boys—the latter, for the most part, men with training in large-scale executive operations who have gone through a period of apprenticeship in New Deal and Win-the-War administration, giving them a keen appreciation of the general or public interest.

The shift was crudely signalized by the OPA statute actually forbidding to professors positions of administrative responsibility. There are some who think that this is only a first step, that the war administrators with academic background will become increasingly a symbolic target for all the irritations at the New Deal, and of inevitable war weariness; and that in due time, they will be gleefully and recklessly purged. Such a wholesale liquidation would be unfortunate. But it should only temporarily interrupt consolidation of the advantage to the social science profession of its war experience. What we may conceive to be the permanent, important gain is the opening of avenues of contact, of access to hitherto unavailable source material, of research insights, and occupational opportunities which penetration into wartime government administration has yielded.

My own experience has been typical. I have occupied first a staff position in the Executive Offices, then direction of a war bureau. In both these positions I have been able to see in a small area only, but directly face to face and intensively, the operation of the Bureau of the Budget, the President's Office, the Civil Service Commission, the Congressional Appropriations Committees, a regulatory commission and the pressures surrounding it. I have experienced the added luxury of having my bureau investigated by a select investigating committee of the House—the real down-to-earth kind with intimidation, blackmail, wholesale removal of carloads of records, star-chamber questioning of hosts of employees for fishing purposes, and, I think, wire-tapping. I had read and taught about all these processes of government. And the textbooks gave a pretty accurate picture on the whole. Still, I feel that in the first-hand experience such as most of us have had in Washington there are additional data, there is more complete access to sources, more comprehensive coverage—or let us say confidence that we have covered the sources of knowledge and realistic insight about the institutions with which we are vitally concerned as students.

The individual experiences, obviously, are of little value by themselves. We need to collect the enlarged data, to develop concrete methods for continued access to such direct operations, before the war experience can add significantly to our reliable knowledge.

What I am suggesting is that as associated groups, we take vigorous, positive steps to keep open the avenues of both temporary and permanent public administrative service so that it shall become an accepted part of the occupational domain of the social scientist. To tap the knowledge of the public administrator, and also of the staff member of great nongovernmental associations, will enrich the social science knowledge we possess; it will broaden the area of occupational opportunity open to the social scientist; it will, I think, attract to the profession recruits of more positive caliber. If it is possible so to organize salaries, leaves, appointments, tenure, retirement, and classifications that the economist, political scientist, psychologist, and statistician can move regularly from one employment to the other, we shall ameliorate one of the genuine occupational difficulties of both academic life and the civil service, i.e., the evil of ruts worn by repeated routine, the traditionalism which destroys vitality.

The need for early, combined, positive action here is very real. I do not know how seriously we should take the attempts—as yet unsuccessful—by leading members of Congress to whittle away at the merit system. But if by chance the McKellar Bill should pass in some form, it would subject all administrative positions of a technically skilled type—practically all the positions for which social science training is required—to Senatorial approval, which, historically, means to party patronage. The large number of war veterans at the end of this war, also, may be given a position of preference—proper as reward, but destructive of professional standards—which would be harmful to social science for a generation or more. The problem is complex; it requires detailed examination. But the interest of the social science profession in including this occupational area seems very important. It might even extend to the further organization of graduate or post-Ph.D. training to include tours of duty in each of four great institutions such as government, labor, industry, and agriculture, in addition to library research. With full use of vacations, this might extend Ph.D. training a year or more. The gain would be worth the cost.

To some, the proposal for a social science profession which will earn its proper place as a specialized group, to be accepted widely for the usefulness and reliability of its professional knowledge and insights, may seem grandiloquent, even impossible. But I would stress that I am also proposing strict limitations on the profession. I am suggesting that we refuse to be dazzled by any temporary experience in direct administration and determination of policy or with the direct wielding of power. I am not proposing that philosophers, or doctors of philosophy, be our governors. Although a professed economist, historian, or political scientist occasionally may be elected to Congress or added to the Cabinet, he is not performing there as a social scientist any more than is a physician or architect who may happen to be so chosen. We have a different rôle to play—less spectacular, more patient, more permanent.

There are few among us who do not at times tire of priest-like devotion to the pursuit of the truth unencumbered with affiliations that subtly temper the truth through prior loyalties. We long to give free rein to our combative, reforming tendencies and to join the parade for a good cause. But these desires seem to me to vitiate opportunity for that quiet but vital influence resulting from the earned reputation for independent objectivity and impartiality which is our special function in society. Others can reform and be politicians. But we can do something else, just as useful, which no one else can do.

There are many sincere people among us also who think that such professional abnegation is a timid retreat from reality. There is in their thinking, I believe, a little of the Marxian conception that all scholarship is consciously or unconsciously a servant of a set of dominant economic interests —that impartial social science is a bourgeois illusion. Many of these people have had experience in seeing how policy and viewpoint in strategic matters permeate a whole administrative machine. They laugh at the idea of the non-political administrator. I myself believe that our textbook picture of the penetration of policy into administrative detail has been over-simplified. It is a proper subject for important research.

But to go the whole way with the argument against impartiality is to become a *neo*-Jacksonian Democrat or an unconscious Fascist. It means that "our side" or "our enemies" must hold all the posts because every position is really partisan. It is completely contrary to the slow building of the very partially achieved edifice we know as social science. And social science as research, teaching, and staff advisory participation in our institutional life seems to me an essential ingredient of a successful democracy.

REPORT ON THE RESEARCH PANEL ON COMPARATIVE GOVERNMENT

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I

The Committee on Research of the American Political Science Association was appointed by President William Anderson in 1942. A considerable number of sessions were held during 1942 and 1943 in Washington under the chairmanship of Ernest S. Griffith. Four different regions of research were assigned for more specific exploration through panels to four "conveners," namely, International Relations (Walter R. Sharp, later Phillips Bradley); Political Theory (Benjamin Lippincott, later Francis G. Wilson); Public Law (Carl B. Swisher); Comparative Government (Karl Loewenstein).

In developing the panel on comparative government, the convener sent various circular letters and detailed questionnaires to some twenty-five members of the profession who, by their past performance, were believed to entertain active interest in the subject-matter. The original plan of having the group function as a round-table at the annual meeting of the Association in 1942 became a casualty of the war. But the sponsors were not easily discouraged, even though war duties limited their own and the participants' efforts. After an epistolary exchange of opinion extending over almost a year, a panel meeting was held in Washington on April 17 and 18, 1943, attended by twelve members coming from outside and six resident in Washington. Hardened convention-goers among the participants confessed that the sessions demonstrated a freshness of approach and enthusiasm which have become rare in professional gatherings. The success of the panel proved again, if such proof were needed, that a discussion among genuinely interested and expert people can accomplish more than erudite addresses delivered to helpless audiences at mammoth conventions. The all-too-short panel meeting was followed by further correspondence for clarification of issues.

II

In the voluminous material accumulated by the correspondence and the panel discussion,[1] one fact stands out clearly, i.e., that the branch of political science commonly styled comparative government has emerged from a tedious and stagnating routine and, unless this reporter is badly mistaken, is about to undergo a rejuvenation not hoped for by its most ardent devotees—this much to the surprise of those who at first had referred to comparative government as a discipline in a status of suspended animation, hardly alive under the competitive pressure of the more glamorous "international relations." In this period of total war, which has added to belligerency of a military, economic, and diplomatic character political warfare as a way to victory, the knowledge of foreign political institutions and ideologies has become of paramount importance. Comparative government has been transformed from a Cinderella-like academic discipline into a political instrumentality of the most immediate potency. It is obvious that without intimate knowledge of their political institutions and attitudes we could not hope to understand what makes our enemies strong, or to pierce their psychological armor; nor would we be able to assist them after the war in reintegration into the world community, in case this should be our task. Supercilious aloofness from other peoples' political institutions—another facet of intellectual isolationism—has definitely come to an end. If democracy aspires to become universal—and no lasting peace is feasible unless some sort of political homogeneity is established among the nations—it is essential to be informed on the political habitat of other nations, our temporary allies no less than our temporary enemies. Comparative government has ceased to be merely *l'art pour l'art.* It is forced to reorient itself in line with the technological development which is about to weld the world together into a closer union of peoples, if not of states.

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[1] Mimeographed copies of the minutes are available on request at the Social Science Research Council, Washington, D. C.

Consequently, the majority of the participants in the panel agreed on two basic points: First: comparative government in the narrow sense of descriptive analysis of foreign institutions is an anachronism. As is the case with political science at large, it has to widen its scope, to refine and redefine its methods. Second: there is no longer any single technique, neither the orthodox institutional approach nor the strict behaviorist method being sufficient *per se* to gain access to the true *Gestalt* of foreign political civilizations; methods and designs must be blended and kept in elastic touch and mutual penetration. Although some of the elder statesmen raised their warning voice that *qui trop embracé mal étreint,* that a too promiscuous or ambitious application of diversified methods would lead to dilettantism and confusion, the majority seemed agreed that the frontier posts of comparative government must be moved boldly into the precincts of neighboring and collateral disciplines—that, to use an illustration, criminal law is not under the exclusive jurisdiction of the lawyer if it helps to understand the social function of state and government. The prevailing impression among the participants was that comparative government has lost its traditional character of descriptive analysis and is about to assume the character of a "total" science if it is to serve as a conscious instrument of social engineering.

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III

If an attempt be made to summarize—or rather to paraphrase—trends and contents of what may be spoken of as the findings of the group, it would reflect a tripartite division of the discussion into problems of methodology, of substance, and finally of organization.

Fortunately, little time was lost in terminological speculations. Although it was generally felt that the term "comparative government"—denoting, in the past, a sort of herbarium of cut and dried specimens of foreign institutions—is no longer adequate to circumscribe a branch of knowledge far beyond these limits, no effort was made to find a better word for it. But it was realized that, unless the customary juxtaposition of descriptive material, country by country, was replaced by an effective functional comparison, the actual achievement would belie the very name of the discipline. Only rarely is the attempt made really to compare political institutions and functions in the sense that a common denominator for diversified phenomena is found and deviations from the standard pattern are explained. It is not accidental that American political science has produced so few books or treatises on the state in general, while there is an abundance in Continental European literature, the reason being the lack of interest and, resultant therefrom, the insufficiency of the available factual material which would permit a fruitful comparison.

The methodological—or should one say the transcendental—interest of the group was focused on the position and function of comparative government in relation to the general culture-pattern of the state. From the stale routine of dissecting and describing foreign political institutions there emerged a blueprint of a branch of human knowledge which, "catholic" in the literal sense of the word, should become the coördinator and integrator of much that heretofore has been kept apart by narrow compartmentalization into isolated and unrelated disciplines. The *Lebensraum* of comparative government was drawn in bold and sweeping strokes, and by no stretch of the imagination could the program be called modest. It must bring into play economics and statistics, social psychology and political philosophy, cultural anthropology and intellectual history. The artificial wall separating comparative government from constitutional law proper in the limited sense of pragmatic positivism must no less be broken down than the brittle fence segregating international relations from the internal structure of government in the different countries. As an example may be noted the affinity between federalism as a problem of internal state organization and as a phenomenon of world organization. The limited institutional approach, typical of comparative government in the past, found no supporters. Research should be conducted in such a way as to make it a tool for the understanding of our political civilization as a whole rather than as an accumulation of unrelated information on individual political systems. A genuinely comparative approach should operate freely along trans-national lines. Such problems as political power, leadership (in particular, executive leadership), federalism, civil liberties—whether they have a core of sacrosanctity or are subject to sublimation—are common to every state. Solutions arrived at in one national environment cannot fail to have a bearing on similar situations in one or several other states. The consciousness of a common destiny of the civilized world and its corollary, the abdication of intellectual isolationism, were perhaps the most surprising and gratifying aspects of the entire discussion. Understanding of our own political civilization is predicated on common experience, and, in our time, the exposition of our government cannot be properly conducted without continuous reference to the parallel situations in other countries as analyzed by comparative government.

From the methodological viewpoint, it is noteworthy that the problem of gaps played an important rôle in the discussions. Since comparative government stakes its claims wider than heretofore, we can no longer permit the existence of white spots on our map of the world, of areas of knowledge unexplored or neglected either in terms of political geography or out of self-restraint because certain problems are under the jurisdiction of neighboring disciplines of political science. Comparative government, conceived as a total science, must see to it that such tangible gaps are filled at the earliest opportunity, and one of the functions of the group should be that of calling attention to the existence of such gaps. It was pointed out that we have little reliable information on such major areas as government and politics of the British Dominions, on Latin America (which calls for analytical monographs), on the Scandinavian countries and the Iberian peninsula—there is not a single worth-while book on the government of Franco-Spain, and even on Belgium and Holland; and how deplorably limited is our knowledge of China and Russia!

Moreover, the group realized that the *rationale* of research in this period of revolutionary revaluation of values is changing. Research which satisfies only the intellectual curiosity of the person engaged in it becomes rather pointless unless it can be utilized for the pragmatic tasks of the time and place when and where it is undertaken. Granted that the researcher, following his creative urge, is and remains the individualist *par excellence*. But his work is conditioned by the political environment and climate. If one may draw conclusions from the cross-section of the profession represented in the group, American political science has become conscious of its responsibility toward other nations, which imposes upon us the obligation to make the experience of our advanced democratic civilization accessible to others as much as we may profit by theirs. Research at this juncture must free itself from national prepossessions and

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fit itself into a higher "strategy of research" whose general trend is not determined by the individual alone. While the group as a whole was perhaps less articulate on this point than some members may have desired, the net result was the awareness that comparative government has a definite mission to fulfill at this time and in the post-war period.

It should not be concluded from the foregoing observations that the tone and spirit of the discussion were unduly esoteric or illusionist; nor were there many exhibitions of the well-known equestrian art of riding erudite hobbies. The realistic objectives of the research effort were not lost to view. Consequently, suggestions for research were geared mainly to the requirements of post-war reconstruction. Whatever "areas" or special "topics"—the distinction being of methodological relevance—were approached, it was their bearing on the future, their potential contribution to the building of a better and saner world, which made them attractive. This projection into the future was influenced to some extent by the realization that research into current problems at this moment is badly handicapped by war difficulties in obtaining material and by the fact that a vast amount of up-to-date information is confined to the strictly confidential use of the war agencies.

IV

From the discussion emerged what seems the fertile distinction between general "areas" of research, or trends in research, on the one hand, and individual "topics" of research on the other. Areas or trends may be roughly defined as wider configurations or entities of problems not confined to particularized institutions or attitudes. The approach to areas of research should no longer be sought by descriptive analysis alone, although its preparatory value is implied, but should utilize the findings and techniques of neighboring and collateral disciplines. As an exemplification of this basic dichotomy, one should refer to such wider problems as public opinion and propaganda, within which radio, pressure groups, and censorship are contained as more specialized topics. Other illustrations for an area are: political power and leadership; civil liberties and their function within the framework of a free society; federalism in its internal and international applications; the "will of the people" (symbolic or real) as the basis of political civilization, envisaged under the alternative of conformance and consent, with its ramifications into institutions such as majority rule, suffrage, proportional representation, plebiscites; the competition between the operational controls of the state and the private lawmaking bodies. Much attention was paid to the problems of transitional government, from semi-democracy to dictatorship; from dictatorship to normalcy (what kind of normalcy?); the citizen and his state (education, civism, the rôle of the smallest local unit), minority protection and its institutional realization; a study of colonial administration, including German and Italian experience.

As "topics," in contrast with areas or trends, were considered problems of specialized research interest which would serve for the illustration of major trends. The mass of such suggestions was equally impressive. Those who will scan the minutes of the panel will find a rich crop for promising doctoral dissertations and hints for their own work. Many of these suggestions were brought up independently by several participants—an indication of how much they are "in the air." Only a few can be mentioned here by way of illustration: the experience with the corporative state and what should be salvaged from it; proportional representation and plebiscites (two most controversial subjects); the political implications of Catholicism and the church; how to draft a constitution; executive lawmaking, a subject particularly fitted for the comparative approach. All of these topics are to serve for the development of major trends or areas.

V

Dazzled by the variety and magnitude of such research projects, the reader may well ask: How can it be possible for the specialists in comparative government, who constitute only a small minority of political scientists, to cope with a task of such dimensions? The question was constantly in our minds, and it weighed all the more heavily since for so many of the profession research is stymied by war work or restricted by teaching loads. Although it was natural for the panel to become interested in the organizational aspects of comparative government, it has frankly to be admitted that little comfort and few constructive suggestions could be offered. It was realized, implicitly and explicitly, that, at the present moment, even the most enthusiastic group of individual researchers has to bow to the exigencies of the war. A heavy competition has arisen in the work done in the field by various government agencies, especially the Department of State, the Office of Strategic Services, the Office of War Information, and the Federal Communications Commission, which, in charge of political warfare, could not fail to poach on our domain. These agencies and others have enlisted the best men of the profession. Studies are undertaken frequently by specialists with unparalleled facilities of research. Practically the entire realm of comparative government is now official business of the government. Once the material thus accumulated by the government agencies has lost its confidential character, it should be made accessible for research in political science. Here is a follow-up issue which deserves the attention of the Association and its officers.

In addition, precisely at the moment when the panel was held, the Provost Marshal's Office and the Division of Military Government began to organize, on a scale unprecedented in this country, and in any country

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for that matter, instruction for officers, on the Charlottesville model, in foreign political institutions. Simultaneously, an even wider program of imparting knowledge to the enlisted men of the Army Specialized Training group got under way, with comparative government a part of the curriculum. When this report reaches our readers, probably most of the teachers of comparative government in the universities and colleges will have been occupied with the subject in a grand style. Our discipline has gone to war. It is true that this instruction, by virtue of its wholly pragmatic character, has little to do with research. But it invites the comparative approach; for pedagogical reasons, instruction on foreign political institutions cannot be conducted without constant reference to our own political experience.

This vast teaching program is based partly on the available printed material, partly on special summaries and guides elaborated for this specific purpose by the military authorities. It would be improper at this time to comment on the quality or usefulness of the material. It can safely be expected that it will be subjected to a critical review at a later time, and one need not be a prophet to forecast that evaluations will differ greatly. It is not unlikely that we will ask whether or not comparative government was prepared for the emergency. This much can be said, that if we had had at our disposal translations or condensations of the works of foreign authors on their own countries, we should not have been compelled to use material whose main attraction was that it was written in English. The suggestion that the group should prepare a comparative study of the experience with military occupation, not only of this country but of the other states, came too late. This task has been taken out of our hands.

For purposes of this report, it may suffice to say that the group as such was unable to make constructive suggestions as to how to utilize collectively for government purposes the talent in the ranks of the profession. It seemed doubtful wisdom to contribute to the depletion of our profession by adding to the centripetal effect of Washington.

But the present emergency situation carries with it a number of *desiderata* for the future. The resurrected interest in comparative government coincides with the return to the campus of many students who, in an empirical way, have themselves become observers and witnesses of foreign political institutions and attitudes. The impact of this field investigation *en masse* on teaching and research after the war cannot be foreseen. It may well be that our soldiers, having been rather peculiar tourists in foreign lands, will be more inclined towards intellectual isolationism than we are willing to believe now. Or, contrariwise, they may have become so imbued with the desire to know more about foreign nations which they have helped to liberate or to defeat that they will demand a synthesis of what they have observed for themselves only in scattered fragments. This would contribute further to intensification of the study of and research in comparative government.

VI

The most important task, however, for comparative government will obviously come in the period of transition from the emergency to what is hoped will be a normal situation in international relations. Once the liberated states turn to equipping themselves with new constitutional instruments, the discipline has a mission to fulfill in imparting our experience to other nations and to integrating scientifically their institutions into a universal pattern of civilized government. This task, visible at present only in the dimmest outlines, will call for concerted action on the part of the profession, in teamwork and planning, with individual effort subordinated to collective requirements. An organizational mechanism prepared in time and going into action when needed would be of extreme usefulness. It is perhaps not too sanguine to say that the optimism demonstrated by the panel meeting inspires hope that, after the war, scholarship, and political science most of all, may serve as a vehicle to draw the nations closer together.

While the panel meeting did not make any definite suggestions in this direction, it is proposed that within the wider framework of the Political Science Association a special subdivision or group be formed, composed of men interested in, and qualified for, comparative government. Such a group not only might place its services at the disposal of the government, which after the war will need experts, but it could at the same time be mobilized for special projects which surpass the resources and capacities of individual researchers. The need for such an organization after the war is all the more obvious since, as can safely be expected, many of the men who during the war proudly served in the government agencies, will have returned to their classrooms and studies. It may shock the inveterate individualists of the profession to realize that here as elsewhere collective effort and coördinated planning will be superior to individual enterprise and private initiative. By no means does this imply the end of individual research. The scholar driven by his private intellectual curiosity is impervious to regimentation. Research never can function properly in a straitjacket. But what the future may bring is such a common strategy of research as will enable the individual to fit his interests into the general plan. A "pooling of subjectivities"—to borrow a felicitous expression from the panel—could result in an organization of the profession preferable to the "rugged individualism" now existing.

In order to translate the spade-work done by the panel meeting into a tangible, organizational result, it is suggested that the panel be continued as an institution, and that those members of the Association interested in a closer union among the specialists in comparative government communicate with the president of the Association, or the present writer, in order to create a nuclear frame which would serve for the pursuit of the manifold tasks connected with comparative government in the immediate future. It is most desirable that the existing panel group, whose selection was beset with various difficulties and necessarily haphazard, be effectively enlarged and permanently maintained. It is dependent on the widest possible support of the profession. Though a novelty within the dynamics of the Association, this project should not encounter insurmountable difficulties. It should be remembered that the American Bar Association has its subdivisions according to specialized interests of its members without detracting from the general professional purposes of the organization at large. Encouraged by happy experience with the tentative panel meeting, the reporter ventures to suggest that a Committee on Comparative Government be established by the American Political Science Association, and that this report be considered as an urgent and cordial invitation to all genuinely interested in the field to enroll as members of the new group.

NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

Committees of the American Political Science Association for the year 1944. A complete list of members of the various committees of the Association was published in the February, 1943, issue of the REVIEW. Most of these committees are still in existence, and the membership has not been greatly changed. The membership of the Association's committees for the year 1944 is as follows:

Committee on American Legislatures: George B. Galloway (Washington, D. C.), *chairman;* Joseph P. Chamberlain (Columbia University); Marshall E. Dimock (War Shipping Administration); Meyer Jacobstein (Brookings Institution); E. Pendleton Herring (Harvard University); Arthur N. Holcombe (Harvard University); Robert D. Leigh (Federal Communications Commission); Benjamin B. Wallace (United States Tariff Commission); Schuyler C. Wallace (Columbia University); Roland Young (Washington, D. C.).

Committee on Endowment: William Anderson (University of Minnesota), *chairman;* Charles A. Beard (New Milford, Connecticut); Joseph P. Chamberlain (Columbia University); Kenneth Colegrove (Northwestern University); Frederick M. Davenport (National Institute of Public Affairs); Walter F. Dodd (Chicago); John A. Fairlie (University of Illinois); Charles G. Haines (University of California at Los Angeles); Arthur N. Holcombe (Harvard University); Isidor Loeb (Washington University); Charles E. Merriam (University of Chicago); William B. Munro (California Institute of Technology); Frederic A. Ogg (University of Wisconsin); Lindsay Rogers (Columbia University).

Committee on a Library of Political Thought: Francis W. Coker (Yale University), *chairman;* John D. Lewis (Oberlin College); Peter H. Odegard (Amherst College); René D. Williamson (Davidson College); C. B. Robson (University of North Carolina).

Committee on National Citizenship Education: Marshall E. Dimock (War Shipping Administration), *chairman;* Franklin L. Burdette (Butler University); Joseph P. Chamberlain (Columbia University); Kenneth Colegrove (Northwestern University); John M. Gaus (University of Wisconsin); E. Pendleton Herring (Harvard University); Roscoe G. Martin (University of Alabama); John B. Mason (Fresno State College); Peter H. Odegard (Amherst College); Catheryn Seckler-Hudson (American University); Elbert D. Thomas (U. S. Senator from Utah).

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Committee on Nomination of Officers for 1945: Lloyd M. Short (University of Minnesota), *chairman;* James Hart (University of Virginia); Francis W. Coker (Yale University); Denna F. Fleming (Vanderbilt University); Charles McKinley (Reed College).

Committee on Professional Opportunities of Political Scientists: Franklin L. Burdette (Butler University), *chairman.*

Program Committee: James W. Fesler (War Production Board), *chairman.*

Committee on Publication of Election Statistics: W. Reed West (George Washington University), *chairman;* Thomas S. Barclay (Stanford University); Harold F. Gosnell (Bureau of the Budget); E. E. Schattschneider (Wesleyan University); Catheryn Seckler-Hudson (American University).

Committee on Regional and Functional Societies: John E. Briggs (State University of Iowa), *chairman;* H. C. Nixon (Vanderbilt University); Howard White (Miami University); Elmer D. Graper (University of Pittsburgh); Matthew C. Mitchell (Brown University); Thomas I. Cook (University of Washington); Phillips Bradley (Queens College); Thorsten V. Kalijarvi (University of New Hampshire); Roscoe C. Martin (University of Alabama); Charles C. Rohlfing (University of Pennsylvania); Charles H. Rohr (Trinity College); Lt. Col. Harvey Walker (Ohio State University); Cyril B. Upham (Deputy Comptroller of the Currency); Herbert Wright (Catholic University of America).

Committee on Research: Ernest S. Griffith (Library of Congress), *chairman;* William Anderson (University of Minnesota); Harwood Childs (Princeton University); Karl Loewenstein (Amherst College); Joseph E. McLean (Social Science Research Council); John Sly (Princeton University); Carl B. Swisher (Johns Hopkins University); Francis G. Wilson (University of Illinois); Roland Young (Washington, D. C.).

Committee on Social Studies: Howard White (Miami University), *chairman;* Richard G. Browne (State Normal University, Normal, Ill.); Russell M. Cooper (Cornell College); Samuel R. Harrell (National Foundation for Education); Robert E. Keohane (University of Chicago); David W. Knepper (State College for Women, Columbus, Miss.); Wilbur F. Murra (Civic Education Service); Hilda M. Watters (Western State Teachers College, Macomb, Ill.).

Washington Committee: James W. Fesler (War Production Board), *chairman;* Clyde Eagleton (New York University); Harold F. Gosnell (Bureau of the Budget); Ernest S. Griffith (Library of Congress); Pendleton Herring (Harvard University); Charles S. Hyneman (Louisiana State

University); V. O. Key (Johns Hopkins University); Amry Vandenbosch (University of Kentucky); Lt. Col. Harvey Walker (Ohio State University); Herbert Wright (Catholic University of America).

Committee on Undergraduate Instruction: Benjamin F. Wright (Harvard University), *chairman;* Charles Aiken (University of California); John M. Gaus (University of Wisconsin); David W. Knepper (State College for Women, Columbus, Miss.); Robert D. Leigh (Federal Communications Commission); Roland Pennock (Swarthmore College); John Vieg (formerly of Iowa State Agricultural College).

Professor Herman Finer, lately with the International Labor Office in Montreal, will serve as visiting lecturer at Harvard University after July and will offer courses on British government, comparative government, and international organization.

Dr. Lent D. Upson, director of the Detroit Bureau of Governmental Research throughout the twenty-eight years since its establishment, has retired to devote his entire time to the program in graduate training in public administration carried on by Wayne University. His successor is Loren B. Miller, formerly on the staff of the Bureau, and more recently director of the Civic Institute of Kansas City, Mo.

Governor Edge of New Jersey has appointed Professor William S. Carpenter, of Princeton University, president of the New Jersey State Civil Service Commission, and the legislature has passed an act confiding the direction of the entire civil service of the state to the president. A new classification of state employees made by a staff under Professor Carpenter's direction will be installed at once. Professor Carpenter will continue his duties as chairman of the department of politics at Princeton.

Professor Clarence A. Berdahl, of the University of Illinois, has joined the staff of the Office of Strategic Services and has been assigned to duty in London. At Illinois, Professor Francis G. Wilson has been made acting chairman of the department of political science.

Professor Charles M. Kneier, in charge of the work in public administration in the School of Military Government at Charlottesville, Va., has been promoted to the rank of Lieutenant-Colonel.

Dr. James C. Charlesworth, of the University of Pennsylvania, has been made a Lieutenant-Colonel, and Dr. Bennett M. Rich has been promoted to the rank of Major. Both men are stationed in Washington.

Professor Heinz Guradze is on leave from Park College and is at present with the Federal Communications Commission, Foreign Broadcast Intelligence Service, as an analyst in the Central European Section.

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Professor Edward Mead Earle, of the Institute for Advanced Study, has arrived in the European theater of operations, where he will serve as a special consultant to the Army Air Forces under Lieutenant-General Carl Spaatz.

Dr. William S. Stokes, formerly of U. C. L. A., has been appointed instructor at Northwestern University and will give courses in Latin-American government and politics.

Dr. Robert M. W. Kempner, of Lansdowne, Pa., has served as an expert on German police and government-controlled secret organizations in various foreign agent and espionage trials.

In March, Dr. Gerhard Krebs resigned his assistant professorship at Western Reserve University to accept a position with the Regional War Labor Board in Cleveland.

Dr. Howard M. Kline, formerly of the University of Maryland and more recently with the Division of Vital Statistics of the Bureau of the Census, was appointed in January an officer of the U. S. Public Health Service.

Professor Dell G. Hitchner has obtained leave of absence from Coe College and on April 27 was inducted into the Army as a private.

Professor Conley H. Dillon has been on leave from Marshall College for two years and is at present state price executive for the OPA in West Virginia.

Professor Smith Simpson, on leave from the University of Pennsylvania, has been appointed chief of the International Labor Organization's branch of the newly created Division of Labor Relations in the Department of State.

Lieutenant Hilton P. Goss, on leave from the State College of Washington, after a period as Base Historian at the Fort Sumner, New Mexico, Army Air Field, has been assigned as Wing Historical Officer with the Air Transport Command. He is now overseas in that capacity.

Mr. Henry C. Brownell, on leave from Lingnan University, Canton, China, has been appointed a visiting lecturer at Brothers College, Drew University, Madison, New Jersey.

Lieutenant-Colonel Harvey Walker, on leave from Ohio State University, has been appointed chief of the Employee Relations Section, Civilian Personnel Branch, Industrial Personnel Division, Headquarters, Army Service Forces, Washington, D. C.

Professor Benjamin E. Lippincott, of the University of Minnesota, is serving with the 13th AAF in the South Pacific as the Air Force Historian.

Professor Jasper B. Shannon, of the University of Kentucky, has been appointed assistant director of the Graduate School of the U. S. Department of Agriculture, but expects to return to Kentucky after the war.

At a meeting of the Ohio College Association's Social Science Section held at Columbus on April 1, Professor Burton L. French, of Miami University, was elected president of the Section and Miss Mona Fletcher, of Kent State University, was reëlected secretary-treasurer.

Professor John Day Larkin, chairman of the department of social studies in the Illinois Institute of Technology, has been appointed vice-chairman of the Sixth Regional Board of the War Labor Board, with headquarters in Chicago.

Mr. Melville E. Osborne, formerly an instructor in political science at Syracuse University, has accepted a similar position at the University of Rochester.

Former students of Russell M. Story, Edward M. Sait, and George S. Burgess at Pomona College are raising a fund with which to establish a political science seminar library at the College as a memorial to the three distinguished teachers.

Dr. William C. Jones, head of the department of political science at the University of Oregon, has resigned to assume the presidency of Whittier College.

Dr. Frank Munk, author of *The Legacy of Nazism*, has been appointed head of the United Nations Relief and Rehabilitation Administration's training center at the University of Maryland. A native of Czechoslovakia, Dr. Munk escaped from Prague in 1939. He has previously lived in the United States as a fellow of the Rockefeller Foundation, and has taught at Reed College and Mills College. Since 1941, he has been lecturer in economics at the University of California at Berkeley.

For many months, Dr. Henry B. Hazard, director of research and educational services of the U. S. Immigration and Naturalization Service, has been engaged in the unusual task of visiting contingents of U. S. armed forces in foreign parts and inducting into American citizenship literally thousands of eligible non-citizens now outside the reach of the courts. From Europe and North Africa, he has lately extended his activity to the Pacific theater.

The ninth annual Edmund J. James Lecture on Government at the University of Illinois was given this year on April 12 by Allan Nevins, professor of history at Columbia University, and recently returned from a government mission to England, Australia, and New Zealand. He spoke

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on "Democratic Ideals: Washington, London, Canberra." Last year's lecture in this series was given by President Clarence A. Dykstra, of the University of Wisconsin.

A symposium organized and edited by Mr. H. Duncan Hall was published by the Carnegie Endowment for International Peace in the March issue of *International Conciliation* and contained an article by him on "The British Commonwealth of Nations and the Future World Order." The subject of the symposium was "The British Commonwealth and the United Nations," and articles were contributed by several British cabinet ministers and diplomatic representatives in Washington of British Commonwealth countries.

A meeting of the executive committee of the Pennsylvania Political Science and Public Administration Association was held in Philadelphia on April 14.

The Royal Institute of International Affairs, Chatham House, London, announces that publication of its quarterly journal *International Affairs* has been resumed as from January, 1944. The journal is being printed in Canada by the University of Toronto Press. During the temporary suspension of the journal from 1939 to January, 1944, the book review section of *International Affairs* was published separately. This section has now been re-incorporated into the journal. *International Affairs* is the only periodical in Great Britain devoted exclusively to international questions and problems of world reconstruction.

Professor Robert Mosse, formerly professor of law at the University of Grenoble, a Captain in the French Army until the Armistice, and more recently research professor of economics at the University of Washington, served during the winter quarter as visiting professor of political science at the University of Illinois, having charge of the French Area sections in the Foreign Area and Language Study curriculum of the Army Training Program.

The Universities of Alabama, Georgia, and Tennessee have jointly announced ten Southern regional fellowships in public administration for the purpose of encouraging training for the public service at the level of the first year of graduate study. Each fellowship carries a grant of $750 and fees. The fellows will spend three months, beginning in June, 1944, as internes in governmental offices in Alabama, Georgia, and Tennessee; and the Tennessee Valley Authority, as well as various state and local agencies, will participate in this phase of the program. The undertaking is under the joint direction of Professors Roscoe C. Martin, L. Vaughan Howard, and Lee S. Greene.

A National Training School for Public Service, with headquarters in Detroit, has recently been organized and financed for a three-year experimental period under the direction of Dr. Lent D. Upson. The purpose of the School is to facilitate graduate training for citizen leadership and administrative positions. Academic instruction will be furnished by the School of Public Affairs and Social Work of Wayne University. Field training will be under the direction of the Training School and will be by arrangement with the Detroit Bureau of Governmental Research, other citizen agencies, and selected governmental departments. Ten or more fellowships of $1,200 a year, plus tuition and fees, are offered to suitable men and women. Applications will be received by the School at 5135 Cass Avenue, Detroit, until August 1.

The officers of the American Council of Learned Societies (with which the American Political Science Association is affiliated) for 1944 are: chairman, Fred N. Robinson (Harvard University); vice-chairman, Wallace Notestein (Yale University); secretary-treasurer, S. Whittemore Boggs (U. S. Department of State); additional members of the Executive Committee, Richard H. Shryock (University of Pennsylvania), William B. Dinsmoor (Columbia University), Sturgis E. Leavitt (University of North Carolina), and Frederic A. Ogg (University of Wisconsin).

From England comes an inspiring message from Professor Arthur W. Bromage, of the University of Michigan, as follows: "I do want to say that my association with the members of our APSA has always been a warm and bright spot in my life. Our Association has always been marked by the belief of the members in democracy and the capacity of democracy to improve the lot of the common man. This is a very great thing, for there are many fixed and immutable principles which flow from this belief; individuality, freedom to differ, opportunity to develop the mind, the concept of the state as an instrumentality to serve the humblest citizen. To those who now uphold the standards of the Association in the universities and in many other walks of life, we say: Stand up for the things you believe in as free men and God speed the day when we can join you again in your important task of passing on the concepts of democracy to the next generation."

BOOK REVIEWS AND NOTICES

How New Will the Better World Be? BY CARL L. BECKER. (New York: Alfred A. Knopf, Inc. 1944. Pp. 246. $2.50.)

This volume is a stimulating essay on the subject of post-war reconstruction. The author diagnoses the present state of the world, with special attention to nationalism, sovereignty, power politics, and imperialism. He discusses "What we are fighting for." On the constructive side, the writer considers "What kind of collectivism do we want?," forecasting post-war international order, both political and economic, with special emphasis upon the latter.

My personal appreciation of the work of Dr. Becker has been expressed on many occasions and in many places, including the jacket of this very book. For purposes of greater certainty, I hereby reiterate my admiration for the labors of this talented and challenging historian. I may be pardoned for some reservations on this particular volume, however, for now the author takes on the rôle of the gloomy Dean after a fashion.

For example, we are fighting, he says (p. 128), to "preserve the status quo in its fundamentals." But it seems later (p. 130) that "there is no status quo," since institutions, laws, and customs are always changing. But again his Conclusion points backward, in disparagement of too much optimism.

The author despairs of "power," following the lead of Lord Acton. "Where political power is, there danger lurks," says Dr. Becker (p. 71). But by the same logic, where social power is found, there danger lurks, whether political, economic, or otherwise. We might with equal reason say that where anarchy—lack of power—is found, there danger lurks. Or indeed where life is found. It is not the power *per se* that makes the difficulty and the danger, whether the holder of power is a petty despot or a larger-sized one or a benevolent public servant.

In the discussion of "How much collectivism do we want?," the thesis is presented that the future depends upon reconciliation of the profit motive with the general welfare. To meet this situation, there must be developed a "comprehensive program," of a type so far overlooked apparently. Modesty prevents me from saying that, historically speaking, Dr. Becker's program outlined on page 169 is almost a reproduction of the program of the National Resources Planning Board (of which the reviewer was a member). But yet he finds that the New Deal could not produce such a formula (p. 171).

After this war is settled, he contends, the political arrangements of the world will be much as they are now, except for the status of Germany and Japan, or at any rate no better, or different proposals will be found than at the end of the last war. The chief causes of the present difficulty are "economic confusion and conflict." This places a very heavy burden on the "economic," but probably the author would concede the significance of the technological, the psychological, the cultural, the problems of population and civilization, none of which is readily classified under the economic, or the political either.

We must consider carefully the problems of international trade, currency, investments, cartels, raw materials—a proposition from which few would dissent. Furthermore, *ad hoc* commissions of the League of Nations type might well be appointed to deal with these special problems, under the general leadership and direction of the larger Powers, somewhat after plans currently discussed.

In the end, the writer finds solace in Edmund Burke and the Reflections long ago used to battle the French revolutionary tendencies of his time. Yet, curiously enough, Dr. Becker adopts almost word for word the formula of the National Resources Planning Board (p. 243). This I cannot well repudiate, but why the brilliant scholar wraps the mantle of pessimism around him remains unclear.

Organic growth, slow development, maturation, patience, regard for historical values—these are all of vital importance. But in the better world may we not take counsel also of idealism, of social vision, of our hopes as well as our fears, of Revelation as well as of Lamentations?

CHARLES E. MERRIAM.

University of Chicago.

International Bearings of American Policy. BY ALBERT SHAW. (Baltimore: The Johns Hopkins Press. 1943. Pp. x, 492. $3.50.)

Dr. Shaw is one of the most distinguished surviving members of that body of students who some fifty years ago were schooled by the late Herbert Baxter Adams in the Johns Hopkins University belief in the essential unity of the fields of history, politics, and economics; also that the study of past and present events must be made under the influence of these allied means of understanding. He was closely associated with Woodrow Wilson, and hence his present writing shows insight into the views and policies of the later President. Furthermore, all these things, with the years since Dr. Shaw's student days filled with his wide activities of a brilliant literary and journalistic nature, have made his mature views of unusual value in the light of present-day events.

This book is a narrative, in bold outline, of the course of events, both in the United States and abroad, from the last decades of the nineteenth century, with the developments due to the First World War and the twenty years since which led up to a logical and inevitable sequel in the present conflict. Dr. Shaw broadens his historical view to include, as indi-

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cated above, the political and economic aspects of these events, especially stressing the importance of those of an economic character. He states in his opening paragraph that the "book has no controversial purpose and is not meant to challenge well-informed opinion in any direction. Its appeal is to the logic of historical facts rather than to syllogisms or formulations; and its review of American experiences may, I hope, assist some readers to clarify their mental attitudes" (p. 1).

The late Professor Palmer of Harvard is said to have remarked, on one occasion, that "it took him so much time to prepare what he was *not* going to say to his students," in other words, to form background. In like spirit, Dr. Shaw has written an exceedingly valuable and, to an unusual extent, constructively interpretative book. He has preserved a fine spirit of detached opinion, and is eminently fair in his judgments. No better illustration of this spirit could be given than the following statement with regard to the domestic controversy over the League of Nations: "Those who have learned to think of it as a matter of controversy between our two political parties, or to narrow it still further by turning it upon Senator Lodge's antipathy to President Wilson or *vice versa*, have not only a scanty acquaintance with the facts but also a perverted and mischievous view of them. If there was any dereliction that impartial historians at some future time may uncover, it was not attributable to President Wilson or any other American. It was the European exigencies, with which Mr. Wilson and his delegates were unable to contend, that befogged the issue" (p. 364).

Dr. Shaw is a firm believer in the rehabilitation of the League of Nations after this war, due to the fact that the League has "a suitable habitat, unimpaired material facilities, and availability for a wide range of functions concerning which no one will question its capacity for usefulness," and, in the second place, "that its defects of structure have been so fully exposed and demonstrated that they can be remedied" (p. 464). Furthermore, he is rather optimistic with regard to the future. He writes: "History must and will have its own tempo. Mankind has to learn things the hard way. The Conference of 1933 [London Conference] demonstrated the fact that the nations could come together in a spirit of good-will to consider the welfare of a thousand million people and many more. Coöperation will come, regardless of the exact framework of world organization" (p. 461). "Union lies in the conceptions and purposes of well-disposed men; and this union of minds will create its own institutions" (p. 468). With these latter words, Dr. Shaw ends his writing of a book that is unusually helpful and stimulating.

WILLIAM STARR MYERS.

Princeton University.

The American Senate and World Peace. By Kenneth Colegrove. (New York: The Vanguard Press. 1944. Pp. 209. $2.00.)

The publishers liked the famous quotation from John Hay, with which this book begins, so well that they quoted it three times on the jacket. Professor Colegrove has done something like that in the book itself. He drives home his point over and over again, from every angle, against the Senate, which is the bull in his arena. Some of his strokes are deft, some are powerful, some are just wild swings made in the excitement of the game.

The book is not written for the instruction of political scientists (who may nevertheless learn something from it), but to appeal to voters. The author's purpose is to stir up the voters to action before another crisis appears. The action for which he hopes is (p. 142) "a constitutional amendment to abolish the two-thirds rule and the monopoly of the Senate over the approval of treaties"; and he includes the draft of an amendment which would permit approval of a treaty by a majority of the Senators and Representatives present.

Chapter I, "Treaty-Wrecking Habits of the Senate," gives illustrations of treaties killed or maimed by the Senate. In Chapter II, "The American People's Peace," he shows the importance of this problem to the American people in the coming settlement. Chapter III is entitled "Every Senator Wants to Be President," although only a paragraph or so is devoted to this doubtful thesis, and most of the chapter consists of statistics and arguments to show that the treaty-making process is undemocratic. Chapter IV, "The League of Nations Fiasco," is summed up in a sentence which deserves to be quoted and remembered at election time: "It is one of the regrettable aspects of American politics that the leaders of a political party will seek to destroy a President's foreign policy and jeopardize the peace of the world, not because the policy is in itself bad, but rather because these leaders are determined to discredit the President and destroy his political influence" (p. 83). In Chapter V, the author decides, and correctly from the viewpoint of this reviewer, that the Senate should not be by-passed through executive agreements, and that both Congress and Executive should agree upon important matters such as the peace settlement. Chapter VI, "We Are in the United Nations Now," discusses the changed attitude of the American people toward foreign policy; Chapter VII asks whether the "vicious circle of distrust, secrecy, suspicion, and opposition between the Executive and the Congress" can be broken, and whether the two can be partners; and Chapter VIII is explained by its title, "We Can and Must Amend the Constitution."

It is a good idea to call the attention of voters to this important problem, and the method which Professor Colegrove has chosen will probably

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have some effect toward this end. The solution which he has chosen, i.e., constitutional amendment, is perhaps a solution, but not one which can be achieved in time to care for the important problems which we must soon be prepared to handle—though against this statement of the reviewer must be set the recent *Fortune* poll. It is not the constitutional provision which is at fault so much as the abuse of that power by Senators whom the people permit, and even encourage, to abuse it. Responsibility for the Senate rests with the people, and Professor Colegrove does well to address himself to them.

CLYDE EAGLETON.

New York University.

Gauging Public Opinion. BY HADLEY CANTRIL AND RESEARCH ASSOCIATES. (Princeton: Princeton University Press. 1944. Pp. vii, 318. $3.75.)

Implicitly rejecting Hegel's maxim that independence from public opinion "is the first formal condition of anything great and reasonable," the authors essay the first systematic survey of the methodology of public opinion research. While the book is unevenly written and, at times, too heavily technical for the non-specialist, it is, on the whole, amply rewarding.

It is a sign of vigor and a developing scientific attitude that nearly every criticism hitherto levelled against the inadequacy of public opinion polls to measure what they seek to measure is fairly dealt with, and in a spirit not wholly free from self-criticism and a recognition of limitations. The authors concede, for example, that many of the questions used by polling agencies, including some of their own, have been obscure in meaning or elicited only surface rationalizations or stereotyped answers.

Among the more difficult problems of polling agencies is the suitable framing of questions. The conclusions which emerge from careful investigation are that the multiple-choice type is often superior to the dichotomous type, which may misrepresent opinion by forcing adherence to sharp alternatives; the order in which alternatives are presented may be important when the issue is complicated, since there is a natural tendency to select the last, most easily remembered, alternative; questions inviting free answers, while difficult to score, may be increasingly useful; symbols of prestige in questions may affect the result; the suggestion that a law must be changed to lead to a desired result creates a certain amount of opposition on the part of people who would otherwise favor the result; and some people are less resistant to a policy if the question is worded to suggest that they will have a direct part in determining the policy.

A series of experiments and acute analyses have established, too, that intensity of reaction can now generally be measured with satisfactory results; that the secret ballot is to be preferred when testing opinion which may be socially disapproved; that when deep emotional loyalties are involved, the bias of the interviewer may distort the result and, similarly, that distortion may come from a lack of *rapport* between the interviewer and the respondent; that refusals to answer questions are most frequent among the poor, women, and inhabitants of large cities, but, by and large, do not affect the extent to which the sample is representative; that the most practical method of sample selection is of the stratified random kind based on geographical and rural-urban distribution, color, economic status, age, and sex; that small, well-chosen samples are surprisingly reliable, yet must be used with caution; that some insight into causation can be obtained by skillful breakdown of results; that economic status determines opinion more than education where financial benefits, direct or indirect, may be involved, but that education is more important when allegiance to certain general social stereotypes is involved; that the tendency to pick scapegoats is especially characteristic of well-educated, upper-income groups; and that opinion is highly sensitive to important events, but does not, by and large, anticipate emergencies but only reacts to them.

The authors demonstrate how interviewer bias and other distortions may largely be eliminated or neutralized. They do not, of course, indicate how the bias of subscribers in using the material can be similarly eliminated or neutralized.

In a sop to Demos, the authors conclude that "by and large, if people in a democracy are provided educational opportunities and ready access to information, public opinion reveals a hard-headed common sense." This a priori and unproved assertion leaves unresolved the fundamental conflict over the value of the public opinion poll, i.e., will it improve our democracy or will a "parliamentary Aphrodite" rise "out of its foam"?

SAMUEL HENDEL.

College of the City of New York.

TVA—Democracy on the March. BY DAVID E. LILIENTHAL. (New York: Harper and Brothers. 1944. Pp. xiv, 248. $2.50.)

This is a tract for the times, a ringing declaration of faith, a proclamation of high moral purpose. It is the answer to pessimistic prophecies of the managerial revolution or the wave of the future, theses with fascination for "the vain, the naïve, and the impatient." "*We have a choice*," says the chairman of the TVA; and this hard-hitting, stirring book is the account of ten years in the lives of four and a half million people during which that choice has been exercised "not only *for* the people, but *by* the people." "Engineers can build us great dams, but only great people make a valley great. There is no technology of goodness. Men must make themselves spiritually free." This is the testament of a statesman of democracy; indeed, not the least of its interest is its aspect of an "Education of D. E. Lilienthal," from a brainy lawyer preoccupied with the power issue to a leader of the breadth of vision and historic time-sense here revealed.

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Despite his avowal that he is "an administrator and not a professional writer," here is a story with a punch. As chairman, he can apparently allow himself a passion that the more scholarly observer like a Ransmeier or Pritchett must hold in check. Indeed, in seven vigorous pages he seems to me to dispose with lucidity of the multiple-cost allocation problem over which Ransmeier ruminated for a whole volume.

The gospel that Lilienthal preaches is the "Seamless Web" and the "Common Purpose," the "Unity of Land and Water and Men." In one crisp chapter after another, he shows how the TVA, the people's expression of a public interest, is able to enlist the coöperation of farmers, business men, local officials, its own 40,000 employees, in "grass roots" democratic planning and development. True, it would sometimes have seemed easier for the TVA to do something itself: it has chosen rather the slower, more tedious—sometimes unsuccessful—methods of citizen self-education involved in getting the county board, the voluntary coöperative society, the lumber companies, to take the laboring oar. And, says Lilienthal, it has turned out over a decade that this method has actually been more "efficient."

It is perhaps inevitable that so ardent a believer should unintentionally leave the impression that his is the word that was in the beginning. Only occasionally is it brought out that other agencies of government, too, have lived by "grass roots" consultation with those affected (pp. 126, 155); or that, say, the British have contributed to the development of the public corporation as a "modern tool for a modern job" (p. 214).

Lilienthal is mistrustful of prattle about decentralization if it means merely men in the field subject to uniform administrative direction from the center. To have a true "regional pillar of decentralization," by this test, there must be (a) an autonomous federal agency, with authority to make decisions in the field; (b) responsibility to deal with resources as a unified whole in this agency, not divided among several "centralized" federal agencies; and (c) a policy, fixed by law, that the regional agency work coöperatively with and through local and state agencies.

Lilienthal has a noble view, a practical "grass roots" hardheadedness, and a keen sense that good administration and organization are as essential as a good policy; indeed, among his best insights are the true relationships of politics and administration, and of "experts and the people." I followed his well-knit reasoning from point to point, looking eagerly for his contribution to vexing questions that a reader of this REVIEW would particularly ask. Lilienthal takes cognizance of them—such as what would happen to our historic structure of national government if we covered the country with TVA's? I regret to say that this book does not answer them. Indeed, ultimately Lilienthal eschews them (p. 177). He seems to me greatly to over-simplify difficult questions of coördination in his pressing for autonomy and responsibility. It is not enough to say that the "TVA reports directly to the President and to Congress," when Lilienthal can boast that it was necessary for the TVA Board to confer with the President only once in three and a half years after the fall of France (p. 165)—or to view any over-all setting of personnel standards on behalf of the President as an intolerable interference with responsibility (p. 173). But perhaps I ask too much of 225 pages.

This book makes triumphantly clear that "there is a choice," that "it can be done." Perhaps there is no way to compel the choice except to put men with David Lilienthal's sense of dedication in charge. Perhaps in his next installment he will answer some of the as yet unsolved questions.

CHARLES S. ASCHER.

New York City.

The Crisis of the National State. BY W. FRIEDMANN. (London: Macmillan and Company. 1943. Pp. ix, 197. $3.75.)

Dr. Friedmann, in this careful analysis, is concerned with problems created by the slow death of the national state—a demise which seems to be inevitable, but which for one reason or another appears constantly to be postponed.

Part I is devoted to the rise of the national state, and includes discussions of political, economic, social, and legal backgrounds. There is nothing particularly new in this treatment, but it is competently done and constitutes a useful summary of institutional history.

In Part II, there is a much more detailed explanation of the decline of the national state. State and nation Friedmann sees as increasingly uneasy partners because of the conflicting principles characteristic of each. He correctly points out, as others have also done, that when the national state became imperialistic, it admitted a spirit which would inevitably be fatal to its continued existence. Then, too, the rise of working class and Marxist ideologies had its effect, as did the growth of elements within the middle class who found their own professional and social interests frequently conflicting with the pure ideal of nationalism. For example, the military class, bureaucracy, intellectuals, "black-coated proletariat," and the peasantry all had concerns and beliefs, widely varied as those may have been, which diluted particularist emotions.

Friedmann is perhaps at his best in Chapter V, where he carefully considers the relationship between economic conditions and the national state. Here he reflects in considerable measure the tendency of most recent students of politics to repudiate extreme theories of economic determinism. Thus he criticizes the "myth" that " 'vested interests' deliberately provoke wars" (p. 103); and he also denies that the world is necessarily becoming more interdependent economically, especially in view of the rapid development of organic chemistry and of *ersatz* products. A true

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view, he contends, is that economic groups find themselves pulled in two directions—one toward the accentuation of national statism and the other toward its dissolution.

In Chapters VI and VII, the author considers certain conflicting international ideologies which might conceivably constitute the foundations of a new order. Fascism, collective security, federation, the multi-national state, the commonwealth ideal, and *Grossraumordnung* vie with one another in this respect.

That the national state, "a political institution of relative value," has "set in on its decline" is the essence of the author's conclusion. To take its place, he proposes the development of international public corporations and the extension of the multi-national state conception, which he finds best exemplified in the Soviet Union. There must also, he contends, be a nice balance between the conception of world organization and that of regional association.

For the achievement of this new world, he finds hope in the Great Alliance of the United States, Great Britain, the Soviet Union, and China. While admitting that little of a positive nature has been accomplished, he thinks that the four Powers do have a "negative, ideological link" in that they are all anti-fascist and possess a fundamental faith in the "free individual."

On the whole, this reviewer would agree with the major part of Friedmann's analysis, which, while wanting in clarity at points, is still well worth reading. But it is difficult to see why the author had to weaken his effect by pinning his hopes upon a "Great Alliance" which obviously is *not* interested either in the "free individual" or in a non-imperialistic international order.

MULFORD Q. SIBLEY.

University of Illinois.

Estudios sobre la Constitución Nacional Argentina. Instituto de Investigaciones Jurídico-Políticas de la Universidad Nacional del Litoral. (Santa Fé, Argentina: Imprenta de la Universidad Nacional del Litoral. 1943. Pp. xxvii, 639.)

In 1943, the Argentine Republic celebrated the ninetieth anniversary of the adoption of its constitution. The constitutional convention which drafted this famous document met in Santa Fé, and for this reason it seemed particularly appropriate that Santa Fé's great institution of learning, the National University of the Litoral, should sponsor a volume of tribute to the constitution—tribute in the form of critical comment rather than unthinking praise.

The project was undertaken by the University's Instituto de Investigaciones Jurídico-Políticas, and was placed under the direction of the eminent scholar, Dr. Salvador M. Dana Montaño, whose studies of public law have received widespread recognition throughout Latin America. The list of persons invited to contribute reads like a volume of *Who's Who in Argentine Political Science.* Unfortunately, however, many of those solicited failed to respond. Such names as Daniel Antokoletz, Juan González Calderón, Enrique Gil, Segundo Linares Quintana, and Agustín Matinezo are conspicuous by their absence.

None the less, the list of contributors is sufficiently impressive. It includes Adolfo Korn Villafañe, the University of La Plata's authority on provincial and municipal law; Clodomiro Zavalía, author of the important *Historia de la Corte Suprema de Justicia;* Felipe Pérez, former rector of the University of Tucumán; and, of course, Salvador Dana Montaño. The volume tends to be heavy with Sante Fé writers; seven of the fourteen authors are associated with the University of the Litoral or the provincial government. But this is not surprising, in view of the project's sponsorship.

All the manuscripts were in the editor's hands by the first day of January, 1943, but the book did not come from the press until November 11—more than ten months later. In the interim, Argentina experienced its now famous revolution, and settled down to the dubious enjoyment of a semi-totalitarian government. The editor of the volume made no attempt, however, to have its contents rewritten in the light of changed conditions, and as a result some of the articles already seem curiously out-of-date.

Apparently the work follows no general plan. Each author writes as he pleases, selecting the topic that most interests him and treating it in such detail as he deems appropriate. One article is less than ten pages in length; four others contain only about twenty pages apiece; while the longest contribution exceeds one hundred and seventy pages.

There is no necessary relationship, however, between quantity and quality. One of the best-written and most inspiring articles in the entire volume is Korn Villafañe's twenty-page discussion of the constitutional limits of the police power, in which he traces the development of social legislation in Argentina since 1904, with special reference to the attitude of the supreme court. Equally significant is Guillermo Cano's brief treatment of the constitutional questions raised by interprovincial rivers. Dana Montaño's article, on the other hand, though more than one hundred pages in length, merely repeats and elaborates the author's oft-expressed theory that the suffrage should be restricted to those persons who may reasonably be expected to use it with some degree of competence.

Despite the unevenness of the volume, the net result is definitely satisfactory. Some of the most perplexing problems of Argentine constitutional law are analyzed with rare insight. Some of the simplest problems—and their solutions—are restated with unusual clarity. Every person who is

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interested in the government of the Argentine Republic will wish to read this work, unless his sensitive soul rebels at the prospect of finding *trivia* intermingled with matters of importance.

AUSTIN F. MACDONALD.

University of California.

Der Fuehrer. BY KONRAD HEIDEN. (Boston: Houghton Mifflin Company. 1944. Pp. viii, 788. $3.50.)

This is a monumental and complicated book about Hitler and Hitlerism until June 30, 1934 (the blood purge). Mr. Heiden is too responsible a student of politics to emerge with any ready-made formula. To describe the phenomenon, he had to bring in many facts and facets, from Richard Wagner to psychoanalysis. The microcosmos Hitler, in Heiden's view, can be understood only by setting it into the macrocosmos of the German and European scene.

To Heiden, Hitler is the basest perfection of a personality type bred by industrial society at the end of the nineteenth century. Heiden's main message is that this type must not (but that it conceivably *could*) become an institution, cutting across and devouring all social and national barriers.

Thus he gives limited credit to Adolf Hitler himself. He most definitely does not ascribe his success to what Max Weber called the charisma of the leader. Heiden has spent years trying to get his facts. It was a great effort in the search for truth, probably causing him more agony than living an equally long time, for the sake of science, in a leprosy colony. Now, the man who has made it almost his life job to study Hitler, and who is eminently equipped for his job, comes out with the verdict: The scourge of our times happened to take personal appearance in one Adolf Hitler, formerly (for three full years) of "Men's Asylum" in the largely Jewish, poverty-ridden Twentieth District of Imperial Vienna.

This conclusion about the relative unimportance of Hitler is of signal significance. Had the disaster been brought about by the magic emanating from a unique individual (as, indeed, millions, including Hitler, believe), the Fuehrer's elimination would clean the atmosphere and make the postwar tasks less formidable.

But Hitler's secret, Heiden declares, was his very emptiness: "This Nothing in human form, drawing all the problems and passions of the day into himself . . ."—namely, the desire of the masses "to utilize the great achievements of the nineteenth century more systematically, and to distribute them more justly." This longing for social progress and equalitarianism, based on technological progress, was sensed most accurately, Heiden maintains, by the "human scum" who stole Germany with these slogans (p. 353).

"Hitler and his like filled the country with violence, murder, and destruction" long before 1933. How were they able to get away with it? Heiden answers bitterly: "The state of the world was such that the fools and misfits were profoundly right while the intelligent and normal were fatally mistaken," merely trying "to rebuild pre-war conditions" (pp. 261–263).

The author devotes much effort to analyzing the personality type of which Hitler is a specimen. Seeing the human avalanche, he considers the class concepts of the nineteenth century hopelessly inadequate. He makes a great contribution to the sociology of Nazism by stressing that here a new type has emerged. "From the wreckage of dead classes arises the new class of intellectuals . . . the armed bohemians to whom war is home and civil war fatherland" (p. 100). "The armed bohemian, grown homeless through the collapse of the war, conjures up the dead war in peacetime life" (p. 146).

Heiden uses the terms "intellectuals," "armed intellectuals," and "armed bohemians" more or less synonymously. This is confusing, because he really has at least two strictly different types in mind. What he calls "armed intellectuals" are technicians of violence, experts in warfare, with a ruthless belief in the efficiency of their methods, and a desire to rule over the state. The "armed bohemians" are the "declassed of all classes," the men characterized, as Heiden says, by "pistol, club, and torture chamber" (p. 353). In fact, the bulk of his factual report appears to show that the real tragedy of Germany and the world, because the secret of the success of Hitler's blend of efficiency and barbarism, was the alliance between the soulless, iron, ice-cold technicians of violence and war, with the rowdies who, even according to Hitler, were "unfit to occupy any responsible position" (p. 732).

Heiden makes it abundantly clear that the importance of Hitler's contact with the officers "cannot be overestimated" (p. 303), and that all too few German officers refused to shake hands with the armed intellectuals and the armed bohemians. In fact, the Third Reich is, as Heiden shows (e.g., p. 560), the result of a fusion between Reichswehr-ism and S.A.-ism.

Heiden's analysis of the new technology of brutality is masterly. He emphasizes that, *not* the "dispossessed petty bourgeoisie," but the "appreciable portion of German youth which is utterly cynical, is the human type which later buried their fellow-men alive. This total disregard of humanity is born, not of bloodthirstiness, but of cold calculation" (p. 352). This is only too true. It proves the utter impossibility of remedying the situation by appeals to humanitarianism or utilitarianism.

The book also violently contradicts the "legend that German capital, acting as a body, has brought Hitler to power" (pp. 264, 445). But the author qualifies: very early, the movement had among its benefactors the money magnates Thyssen and Kirdorff; in 1930, "the opening attack of

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big business on the Weimar republic gave Hitler his first great chance" (p. 339), and a few weeks before he became Chancellor, his historic conversation with banker von Schroeder "probably saved Hitler from bankruptcy. A consortium of heavy industrialists was formed for the purpose of putting National Socialist finances in order" (p. 522).

Equally important, this veteran analyzer of Nazism does not think that international affairs brought about Hitler's success or, in turn, could have prevented it. "It is a legend to call him a creature of Versailles" (p. 346). The most striking illustration of the relative unimportance of foreign policy was given when Brüning's sensational success in striking out German reparations did not help him at home.

Heiden's book reveals much about Hitler's life story and personality. It describes how he got soup from a cloister window, shoveled snow, hung around the "warming rooms" founded by a philanthropist of Jewish ancestry (p. 55), how a Hungarian Jewish old-clothes dealer furnished him with shirts and a caftan-like old coat (p. 61), how he learned to know humanity from the dregs" (p. 62), how later he delayed going to see Mussolini until he should be able to arrive with at least three automobiles (p. 279), and innumerable other significant facts. About the Fuehrer's personality, his biographer concludes: "The fixation of his hysteria is on the contradiction between greatness and nonentity" (p. 378). Contrary to general opinion, Heiden believes that Hitler does not handle men well (p. 368).

At times, the author offers philosophical *obiter dicta* on the evils of our time which reveal a rather pessimistic personal outlook. But, strictly, these opinions do not form part of the story. Whenever it comes to making factual statements, Heiden is cautious—indeed, very much so. Even when he could be "sensational," he is not so, e.g., when speaking about Hitler's relations with his niece-mistress Geli Raubal and her strange death; or when speaking about the secret negotiations between SA chief Roehm and the anti-Nazi para-military Reichsbanner organization. At times, one would like the author to be less taciturn; he asserts, for example, that Hitler lied when he declared under oath that he did not ask money from Henry Ford; but that the person who possessed documentary proof of the truth kept silent, *thus possibly failing to undo Hitler* (p. 369).

It is to be hoped that, one day, Mr. Heiden will tell everything he knows, giving professional social scientists full access to the wealth of his assiduously accumulated evidence. Also, Heiden should write a sequel—"Hitler since June 30, 1934." For, although it is true that by 1934 Hitler had subdued most of Germany, the perhaps even stranger and more staggering story of how he infatuated a much too large part of the rest of the world must be told—and not only for the sake of historians.

HANS ERNEST FRIED.

New York City.

How Nazi Germany Has Controlled Business. BY L. HAMBURGER. (Washington, D.C.: Brookings Institution. 1943. Pp. 101. $1.00.)

In a hundred pages, Dr. Hamburger has supplied one of the most concise, thoughtful, and readable reports on the aims and techniques of National Socialist economic administration. The situation of business under the Swastika is doubly paradoxical: Nazi economy goes beyond capitalism because it is an economy for the attainment of non-economic, or at any rate not *primarily* economic, ends. At the same time, Nazi business administration shows an outward conservatism which has deceived many business men, statesmen, and political scientists inside and outside Germany. Hence, one of most necessary, but most difficult, things in writing about Nazism is to "translate" the familiar names and institutions still used in Germany into their real meaning. In this, Hamburger succeeds extremely well.

The author starts with a short chronological description of the emergence of the machinery. He emphasizes the very important point that the first measures of the régime aimed at re-privatization of the economic life, keeping its promises to "the German property-owning class which had been largely instrumental in putting Hitler into power." Control evolved piecemeal fashion. The "Four Year Plan" was merely a slogan for the remilitarization program, culminating in Goering's Economic General Council, created in December, 1939.

Then, the book proceeds to give a picture of methods, purposes, and achievements of National Socialist control (1) of entry into business (devised to further various government policies); (2) of supply of materials (a system of government allocations); (3) of labor supply (there is both complusory maintenance and compulsory mobility of labor; (4) of wages and prices (wages were frozen at the lowest level, namely, that of 1933; prices for farm products were deliberately increased; the wholesale and retail prices of virtually all commodities were under control by November, 1936) (pp. 48, 53); and (5) of profits (allocation as well as volume of profits is regimented).

Hamburger also has very interesting things to say about enforced termination and enforced continuance of business. Finally, in the best tradition of real "political economy," he gives an analysis of who does the controlling. Correctly, he emphasizes the enormous rôle of the "chambers of commerce" (there were 209 of them early in 1942) "and related groupings, as well as trade associations" (p. 85). They are, under various fancy and complicated names, "the government's morale and enforcement department" (p. 90), "a new and unique type of industrial police" (p. 91). As a rule, they are headed by active business men.

These organizations enjoy a monopolistic position. Membership is compulsory. They act under the leadership principle, i.e., the man who has

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the biggest firm in the particular field, or has the best pull, becomes the "boss" in his trade or business, to the extent of "actually regulating" the activities of his less lucky competitors (e.g., making specific recommandations as to which shop should close down). Many of these features look like self-government. But, Hamburger maintains, business assists rather than replaces government, self-government being inconceivable in a totalitarian state.

It is certainly true that "self-government" under Nazism is never legally guaranteed or actually secure. Yet, here the author somewhat mars the picture by lumping together small artisans and big factories and corporations under the term "business." In fact, the growth of big business at the expense of medium and especially small business during the last decade has been most impressive in Germany, and was obviously fostered by the régime. Also, it may be said that the author distinguishes too sharply between "government" and "business." A large portion of the regimenting of business is being done by men in brown shirts, sitting in huge government or party offices. But many of these autocrats are the very same men, or the sons of the men, who used to run their business from their private desk, dressed in business suits. In other words, in the meta-capitalist régime of the Nazis, many industrialists do not run their business any longer *qua* "independent employers"; they run their business (and that of others, too) *qua* government and party officials.

Also, the leadership principle in business has led to an enormous growth of power on the part of certain groups of corporations and individuals. For example, Hitler's legislation made shareholders practically powerless and the board of directors all-powerful. Furthermore, the Nazis, always looking ahead, have been very shrewd in their systematic efforts to veil their war-time "transaction," especially the gigantic looting of the wealth and assets of foreign countries. They have been using the most elusive and complicated legal forms to make an unscrambling as difficult as possible. In this respect again (and this will be one of the thorniest international problems after the war), the border-line between Nazi government and Nazi economy has become indistinguishable, both personally and functionally.

Mr. Hamburger's study is excellent and deserves wide attention.

HANS ERNEST FRIED.

New York City.

The Danube Basin and the German Economic Sphere. BY ANTONIN BASCH. (New York: Columbia University Press. 1943. Pp. xviii, 275. $3.50.)

A Czech economist, who has observed closely the economic development and struggle of the Danubian basin in the years between the two stages of open conflict in the German War, has written the story of Germany's determined attempt at domination of the Danubian economy, especially after 1931. The rising tide of nationalism in the nineteenth century brought with it the progressive disintegration of the Ottoman and Habsburg empires which for many centuries had provided a framework for the many, and often intermingling, peoples and civilizations of South-Eastern Europe. Their final breakdown in 1918 left in its wake a number of small states to which sufficient time was not given for internal consolidation or for economic intensification. Politically and economically, they lagged a century behind Western Europe; and their weakness and their disunity offer the opportunity for German aggression. The problem ahead of them will be the strengthening of their economic foundations, made even more urgent by the rapid growth of their populations. Their economic backwardness made it easy for Germany to dominate their internal economic life and thus to gain decisive strategic positions from which to proceed from conquest to conquest.

Dr. Basch is a man of learning and of wide practical experience. He has combined in the last twenty years the activities of a scholar in economics, of a managing director of important industrial works, and of a diplomat. From study and travel he has gained an intimate knowledge of Germany and the countries of the Little Entente and the Danubian basin. Now he has brought together, in a careful analytical study, backed by statistics, all the facts necessary to form a responsible and well informed judgment on the future of these countries. A United Nations victory, of course, will prevent Germany from again gaining economic domination of South-Eastern Europe and thereby the basis for continental aggression and hegemony. But that alone will not ensure a healthy economic expansion of the economically backward areas of Europe. The only salvation lies in the industrialization of this region in the intensification of a process begun in some countries before 1914 and in others after World War I. This industrialization—like the whole policy of economic development for backward countries—is a long-range program which requires comprehensive planning, and which should aim primarily to increase the standards of living and to expand the domestic market.

Such a program, which can be achieved only with the help of the Western powers, will provide a new and safer balance for Europe as a whole. It will be part of a world-wide effort to transform and vitalize the economic life of backward countries. All these attempts demand a world-wide economic collaboration. Neither peace nor economic welfare can be achieved on a continental or regional basis. Professor Condliffe points out in his introduction to the book that the "autarkic unity which Germany has forced upon the Continent is a unity of impoverishment. Only in a world trading system can the European peoples breathe freely. It is this

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fact, more than any other, which renders suspect plans for European federation. The German influence in such a federation would necessarily be dominant. Ingenious constitutions cannot outweigh the force of raw materials, integrated industry, and massed population. One well may fear that a United States of Europe would quickly prove, not a step toward a peacefully organized world, but the greatest bar to realizing that much desired goal." This well considered conclusion is fully borne out by the convincing demonstration offered in Dr. Basch's instructive volume.

HANS KOHN.

Smith College.

The French Right and Nazi Germany, 1933–1939; A Study of Public Opinion. BY CHARLES A. MICAUD. (Durham, N.C.: Duke University Press. 1943. Pp. 255. $3.50.)

Here is a real study, and it is one of the first to come to grips with the problems involved in the "fall of France." The author was born in France and was schooled at Paris and Lyon. He came to the United States in 1936, and recently became an American citizen. Meanwhile, he acquired both the M.A. and Ph.D. degrees in government and history at Columbia University. To his job, therefore, Micaud brought *une instruction solide.* Wedded to American graduate school methodology, one recognizes, in the book itself, true French "balance," language intimacy, and keen awareness and discriminating use of sources of Rightist opinion. The tone is exalted throughout, and the theme does not progress by means of the prosecution of charges against personal devils or upon "intimate revelations to the author by high officials." No adequate summary can be made of Micaud's chief quest "to fathom and explain this reversal [between 1933 and 1938] of the Right's position in foreign affairs from an anti-German policy of integral defense of the *status quo* of the peace treaties to the acceptance of German expansion in Central and Eastern Europe."

Under space limitations, it is perhaps preferable to start with the author's concluding paragraph, and to use the term "Right" generally rather than try to follow the shades of opinion portrayed in the book. "The resistance of Great Britain and the intervention of the United States," asserts Micaud (p. 232), "aligned the great democratic powers with Soviet Russia and brought the ideological war to its present stage, the coalition of politico-economic liberalism and bolshevism: the realistic conception of an alliance between threatened countries, but not between ideologies, is only a convenient means of escaping an awkward situation. Unless a real and lasting compromise is found during and after the war between social systems and conceptions of government of the present allies, the ideological war will not be ended by the defeat of the Axis."

Here, raised (legitimately?) to the global level, is the problem that spread confusion and paralysis in French Rightist circles between 1933 and 1939. Concern for the preservation of the international *status quo* of Versailles-system France came to be compromised with Rightest concern for the preservation of the Rightist position within France itself. Thus, for example, its attitude toward the Franco-Soviet Pact was equivocal because that agreement might possibly become, under a government by the Left, a pact with bolshevism in France. Over the course of these years, the French Rightists conceived the hierarchical and authoritarian structure of Fascism and, latterly, of National Socialism—not only as appealing, but as a barrier against the bolshevization of Europe. The "distorted appraisal of the two dangers" to France was not corrected until the occupation of Bohemia and Moravia by German troops in March, 1939, but it was "only in the latter part of April and at the beginning of May, after the Franco-British guarantees had been given to Poland and Rumania, that a quasi-unanimous determination to resist was reached" (p. 206). Micaud notes (p. 229) that the dilemma of the Right was not limited to France.

J. G. HEINBERG.

University of Missouri.

The Growth of the Red Army. BY D. FEDOTOFF WHITE. (Princeton: Princeton University Press. 1944. Pp. xiv, 486. $3.75).

The purpose of the author of this book is to present, not a history of the Red Army, but a study in military sociology, chiefly from the point of view of social conflicts inside the Red Army. It was written under influence of a course in "social conflict" given by Professor Theodore Abel, of Columbia University. According to the author, "without the awareness of the conflict history within the Red Army and of the organizational measures taken by the Soviet government to counteract these antagonistic trends and to forestall their growth in wartime into full-fledged conflicts, it is impossible to appraise intelligently the Soviet military forces." He sees an army as "a complex of groups with conflicting interests," held together by a common interest and by an organizational structure.

The author briefly treats the heritage of the old army received by the Revolution; examines the organization of the Bolshevik military forces before the October Revolution; describes the early days of the Soviet régime (he believes that at Brest-Litovsk the Russian national interests were sacrificed to the party interests, that the country was still able to wage a war with Germany); follows the development of the army during the civil war; gives some place to the Kronstadt rebellion and to the differences of military doctrines of Trotzky and Svechin compared with those of Frunze and Gusev; examines the reorganization of the Red Army after the civil war, the period of Frunze's reforms, the changes during the first

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five-year plan; and finally, under the title "Toward the Greatest Army in the World" he examines the events of the last six years before the present war (this war as well as the Finnish campaign are not touched upon except in some remarks).

In four chapters which form the bulk of the book (on the civil war, Frunze's Army, the first five-year plan, and the later period, he follows an identical pattern: organization of the army; commanders; military commissars; rank and file communist organizations; soldiers; conclusions.

In the opinion of the reviewer, the presentation of Trotzky as a talented organizer of the Red Army is not proved; acceptance of the Soviet figures on the social origins of the army groups misled the author in many cases; the study of the conflicts inside the army on the whole is divorced from the conflicts outside of it; his attempts everywhere to oppose the party and the country bring him into difficulty in the last period: for him, the reforms of that period represent a jump, the end of an attempt to build an army "from classes supposedly more loyal to the régime," while it was the last logical step in the development connected with the social changes in the country. The treatment of the great purge is poor; there are some exaggerations—for example, the author came to the incredible conclusion (based on certain assumptions) that the Red Army's infantry alone in 1939 had more than five million men.

The language of the book is involved. The notes are given at the end, and usually no mention is made of the importance of this or that writer whose opinion is brought to support the author's point of view; there is a great difference between the opinion of some Red Army leader and some Russian émigré.

The book is hardly for the general reader; but for a specialist it certainly represents a contribution. The author collected a wealth of materials; his quotations from the original sources are numerous; his conclusions are usually cautious, reasonable, and unbiassed.

A. Grajdanzev.

Oregon State College.

The Italian Conception of International Law. By Angelo Piero Sereni. (New York: Columbia University Press. 1943. Pp. xii, 402. $5.50.)

The first third of this volume is devoted to the development of international law from "The Renaissance" through "The Period of Foreign Ascendancy." It furnishes us with a remarkable outline of the origin and early history of many of the most important principles of international law which were first applied by the Italian city states. The remaining portion—Part III, "The Resorgimento," and Part IV, "The Contemporary Period"—treats of the more recent internal politics which have influenced Italian interpretations of international law.

The author comments: "Some Fascist practices during recent years are not the expression of new tendencies, but plain violations of international law; others are indications of a change in international relations to which democratic and totalitarian states have both contributed" (p. 296). After indicating a series of cynical violations of the law of nations, he declares: "Pseudo-legal justification cannot mitigate the fact that in the last ten years Italy has acted in a manner contrary to international law" (p. 309).

In the chapter on "Italian Doctrines of the International Community," we find a very interesting account of the rôle of the Italian states in the introduction of the principles of Roman law into the government of the relations of states. A lucid account is given of the manner in which the Empire was recognized to have a theoretical or ideal supremacy at the same time that *de facto* the political independence and equality of the Italian states was asserted and indicated. Bartolus still speaks of the 'Holy Roman Empire' and does not expressly refer to an international community. Nevertheless, he is the first to enrich the concept of empire and to portray it as similar to the international community of today" (p. 61).

Professor Sereni considers that it would be difficult today "to maintain that a state is bound to recognize foreign laws, judgments, and acts in the absence of specific treaty obligations to that effect" (pp. 66–67). Nevertheless, in his discussion of Bartolus's views regarding private international law he quotes the Dutch scholar Meijers, who wrote: "We found among the post-glossators as the basis of private international law the same principles which today are still expounded: the sovereignty of the states over persons and things, an international law which sets limits to sovereignty, and the principle of the autonomy of parties" (p. 67).

In his interesting account of reprisals, the author adopts the viewpoint that by the authorization given the injured citizen to have recourse to reprisals the state "renounced . . . the right to take into his own hands the reparation of the wrong suffered by one of its citizens and left it to him to seek reparation at his own risk and peril without giving rise to a conflict between states" (p. 47). May it not rather have been that the state action was simply intended to limit or regulate the exercise of a private action traditionally undertaken by the individual himself? In so acting, the individual would seem to be the subject of the right so vindicated through recourse to the remedy of reprisals. When the state intervenes to restrict the exercise of this right in the interest of national security and international peace, and when it eventually substitutes its action for that of the injured citizen, does the state do more than supply a substitute machinery or procedure to aid the citizen, subject of the right, to vindicate it? The point is important because it supports the viewpoint that individuals as well as states are subjects of international law.

When we read the account of land warfare as conducted in this early period and compare it with modern practice, we seem to be contemplating the Golden Age; for we are informed that although conflicts in the Italian states were frequent, they were, "for the most part, limited to military skirmishes and forays. Far more men were made prisoners than were killed, and prisoners, as a rule, were ransomed. . . . The ideal of concord and peace constantly remained in the minds of the contenders, since there were no profound moral and ethical splits such as exist today among various peoples" (p. 36).

Especially worthy of note is the explanation of Italian practice and theory in regard to the procedure and legislation adopted in order to fulfil treaty obligations (pp. 321 ff.). Italian courts are free to interpret international law, and this gives rise to some extraordinary situations, as, for example: "Italian courts generally refuse to recognize the immunity of jurisdiction of foreign diplomatic agents in civil matters, though these decisions are certainly contrary to the international obligations of Italy concerning the treatment of foreign diplomatic agents" (p. 324).

It is reassuring to read the author's assertion "that Fascist ideologies have not exerted the slightest influence on the Italian conception of international law" (p. 349). Professor Sereni considers that the Italian school is of an "eclectic character, since it partakes of the conception of the positive school as expounded by Anzilotti and by such opponents as Romano and Belladore Pallieri" (p. 349).

The author distinguishes between the disastrous consequences of the Fascist régime and the benefits to be derived from a strong state as "the best safeguard of individual rights and the best protection of all the citizens. It can," he believes, "equitably distribute rights and duties among all the individuals and secure liberty and justice for all. This type of state is the state of tomorrow. Many symptoms show that there is a trend in all democratic countries toward a stronger state organization which will have greater powers and wider functions. The era of individualism is over. The distinction between private and public activities is disappearing. The present World War will only precipitate this change in the structure of the state, and peace will not bring back the old-fashioned type of state. International law must evolve in order to adapt itself to the changing structure of its subjects, and the analysis of the present practice of the totalitarian countries will help to ascertain what changes will be necessary" (p. 353).

The Fascist and Nazi régimes exploited every weakness in our system of international law in order to further their fell designs, and we must agree with the author that "a redefinition of the rules of international law which will prevent the repetition of this evil presupposes full knowledge of the devices adopted by the Fascist régime in order to achieve that fraud against international law" (pp. 352–353). Professor Sereni's study gives us that knowledge, and at the same time does much to clarify our understanding of the principles of international law. In the opinion of the reviewer, this is one of the most important, scholarly, and interesting studies that have appeared in recent years.

ELLERY C. STOWELL.

The American University.

The British Commonwealth at War. EDITED BY WILLIAM YANDELL ELLIOTT AND H. DUNCAN HALL. (New York: Alfred A. Knopf. 1943. Pp. vii, 515. $5.00.)

This volume consists of a most painstaking and concrete analysis of the war organization and exertions of the British Commonwealth of Nations. Professor Elliott contributes a very illuminating and statesmanlike introduction on war objectives, isolation, and coöperation among the democracies. Former Chancellor Heinrich Brüning contributes an analytical and practical survey of wartime administration in Great Britain and Germany. Claire Nix deals with the organization of supply in Great Britain. William S. McCauley and Eric Roll describe Britain's war economy. Then, the Canadian war effort, in its political, economic, and administrative aspects, is presented and evaluated by Gwendolen M. Carter and B. S. Keirstead. Fred Alexander appraises the participation of Australia; while the contributions of New Zealand and South Africa are illuminated by F. L. W. Wood and Lucretia L. Ilsley, respectively. A chapter on India and the war is supplied by an anonymous writer, and there are several appendices containing documents which contribute to the understanding of the situation, and an elaborate chart of wartime administration in Great Britain. The evolution of wartime developments is brought down, in general, to the spring of 1942, but in some cases later events are included. There is no doubt that the record and appreciation have been most carefully and authoritatively drafted: it is an essential document. Of course, the story of a fluctuating and continuing battle, if stopped at a given date while events move on, does not allow us to appreciate the changes that have occurred in response to the statesmens' recognition of early errors, and the facts lose some effectiveness when not part of a completed chronicle.

As the contributions are too condensed for summary, observations must be limited to some phases only of the chief discussions. Mr. Duncan Hall's survey of "The Commonwealth in War and Peace" is a very thorough, lucid, and detailed account of Imperial relationships ("composed of some 60 administrations"), ranging from the great constitutional questions down to details like the means of communication between the Dominions. All the criss-cross complexities of the machinery are clearly displayed.

Yet the account gives an impression of almost unconditional unity among the Dominions, although in other parts of the symposium there are occasional suggestions (in my view, insufficient for an appreciation of the nature of the Commonwealth) of particularist tendencies. The author quotes, for example, from high officials of the Commonwealth to this effect: "In this war the British Commonwealth has functioned as a unitary state almost as smoothly as if we had been provinces in a Federation." The author faintly demurs; but does not himself convey the sense, which has pervaded some statesmen with dismay, of some not insignificant alienation of affections. Neither the Canadian situation, nor the South African, nor the Australian *state of mind* is fully presented. Nor is there adequate emphasis on the diverse attitudes of the Dominions to the policy of appeasement and Munich, especially the strength of democratic sentiment in New Zealand.

Dr. Hall does, indeed, discuss "the psychological bonds and governing ideas as the foundations of the Empire," rightly arguing that the Commonwealth can never be understood unless certain imponderables are understood. It is certain that Dr. Hall grasps these imponderables, but it is doubtful whether his appreciation of them is conveyed. He says: "The basic fact of the British Commonwealth is that it is a family of nations. The relations of its peoples to one another are those of the members of a family." The difficulty about this analogy is that while it gets near the truth in using the term "family," surely families display very mixed relationships. Would it not be valuable to consider more carefully the family relationship in the true biological sense, namely, the descendants of various generations in the Dominions who still have family connections in the mother country or in other Dominions? If this were done, as a point of departure, the strengths and weaknesses of the Imperial connection might be clarified; a different outlook might be noticed among the successful and rich and those who had left the mother country feeling downtrodden and discontented. That is not all. What people in the Dominions like about Britain, and therefore what produces solidarity, is that the mother country plays a high, a noble, and forceful part in world politics. The Motherland's prestige is their prestige. Its nobility is something in which they like to share. But in each of the Dominions there are classes, and in some there are also differences of race and national origin. This makes for a very great diversity of psychological reaction to the mother country. Would it be surprising if it were declared that some Dominion socialists are anti-British and some rich industrialists are also anti-British? The analysis requires pressing beyond the conventional; only by such adventures will the Commonwealth live.

Professor Brüning contributes some luminous thoughts on the problems of wartime administration, as well as a description of action in Great Britain and Germany. In both these aspects, the student will find very considerable assistance—in my view, especially in the wise and brilliant analytical section. Discussion of the regionalization of the apparatus is especially valuable, and there are *aperçus* like this: "For treasury control of expenditure, which is one of the vital functions of administration everywhere, men of a particular type, *indifferent to the glamour of novel proposals* of spending money, are needed" (p. 143). Some of the judgments stimulate questions. Ought we still to put Switzerland forward as a model from which to draw lessons regarding the organization of democracy? As the author stresses, "she has certain particular advantages of tradition and geography." But she has also relatively few and relatively small problems compared with countries like the United States, Great Britain, Russia, Germany, and France.

Again, the explanation of the different nature of bureaucratic organization in Great Britain and Germany is based mainly on diverse liabilities to foreign invasion. That is an ultimate, a long-distance, cause; but a more proximate one (which may be the result of the distance) is certainly the fact that long before a large bureaucracy was ever needed, there had been established in England the political primacy of a sovereign parliament, first in the hands of a wilful aristocracy and later of a determined democracy. First come, first served: the bureaucracy is the creature of Parliament. Once again, is it fully explanatory to ascribe the defeat of France to administrative causes—to the failure to amalgamate political leaders, army and navy officers, the civil service, and business men and technicians (p. 90)? Assuredly the lesson of the defeat is much more profound; must we not look to the nature of French society and politics, the attitude to war, the recruitment of the General Staff? Administration was a tertiary cause. Also the comparison between the British Prime Minister and the American President as the leader of national administration, in other respects most instructive, seems to give insufficient weight to the effect of the concentration of all constitutional responsibility in the President. For if a President is conscientious, he hesitates to devolve authority upon others, and when he does so, restlessly retracts and transfers the devolved power. Professor Brüning says (p. 150): "Even with his present enormous powers, the British Prime Minister labors under difficulties which do not exist to any comparable extent in the United States." For the reason suggested, and for many others which have become clearer since the spring of 1942, is there not cause for a revaluation? There are many other Brüning sparks which will set the imagination on fire.

In Chapter IV, on British war economy, Professor McCauley declares that the objectives of war finance should be threefold: funds for defense,

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facilitation of the transfer from civilian to military production, and preservation of economic stability by securing the full sacrifices from the taxpayers. Reflection on British experience would allow the addition of another objective, that is, compatibly with the rest, to secure an approach to equality of sacrifice among the different income groups essential to maintain the morale of the whole population in a long and total war.

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British Far Eastern Policy. BY G. E. HUBBARD. (New York: Institute of Pacific Relations. 1943. Pp. xi, 97. $1.25.)

British Economic Interests in the Far East. BY E. M. GULL. (London: Oxford University Press. 1943. Pp. vii, 272. $3.00.)

Mr. Hubbard's pamphlet deals with the principles of British foreign policy in China from the early nineteenth century to 1943. During the greater part of the nineteenth century, Great Britain was the dominant power in the Far East. At the beginning, her principal motive was to open the Chinese market to British trade. This policy led eventually to the so-called Opium War, although opium was only incidental to the real issue involved. This was the determination of the British government to compel China to allow foreigners to trade freely and without unjust restrictions. The war was really brought about by the conflict between Chinese exclusiveness and the nineteenth-century doctrine of freedom for trade. Mr. Hubbard reminds his readers that Great Britain was the originator of the open door policy, and that she made no attempt to secure any exclusive advantages to herself. The United States and other countries "plunged into the field with alacrity and peacefully secured the privileges enjoyed by the British." Great Britain also tried to preserve the independence and territorial integrity of China. She was opposed to annexations and spheres of influence, for the excellent reason that they curtailed the Chinese market which the British sought to develop. This policy was temporarily modified at the turn of the century, when it looked as though China would be partitioned between Russia, France, and Germany. Great Britain could not effectively maintain the principles of the open door and the territorial integrity of China without a degree of support from the United States, which was not forthcoming.

During the inter-war period, the objects of British policy were still the open door and the preservation of Chinese independence. Britain also played a leading part in the renunciation of extraterritorial rights and foreign control of the Chinese tariff. This policy led to the growth of Japanese hostility. The weakness of Britain's armaments and the growing danger of war in Europe made it impossible for her to oppose the Japanese actively. Mr. Hubbard emphasizes that the ability of Britain to resist

Japan by force was still further impaired by the very great uncertainty regarding American willingness to take part in a war against Japan. The temporary closing of the Burma Road in 1940 was inevitable, owing to the desperate position in Great Britain and the great uncertainty of American help if war broke out. Mr. Hubbard has written a clear and excellent political summary; and his book is a useful addition to the Inquiry Series of the Institute of Pacific Relations.

Mr. Gull gives a very valuable history of British trade and investment from the days of the East India Company to 1942. Most of the book deals with China, but briefer sections describe British economic interests in Japan and South Eastern Asia. While predominantly economic in his treatment, the author shows how Britain's foreign policy arose out of her economic interests. The book is complementary to Mr. Hubbard's pamphlet, and provides an indispensable background for the understanding of the foreign policies which the latter outlines. The treatment is very detailed and gives a wealth of exact information on every phase of British economic activity. A summary of the main trends of development is appended to each section. These résumés greatly increase the clarity and usefulness of so full a treatment of the subject.

The two writers concur that British policy consistently worked for the open door, and was opposed to the creation of exclusive interests by any country. The British special interests in Hong Kong and the concessions were thrown open on equal terms to the nationals of other countries. The Chinese merchants and bankers profited greatly from them, and their unwillingness to see them abolished eventually gained them the ill-will of Chinese nationalists.

Down to 1914, Britain was "still, to a very large extent, cock of the walk economically in China." The decline of British economic predominance began at that time. Between 1914 and 1940, the major share of China's foreign trade passed to Japan and the United States. Textiles had been the principal British export to China, and the sales shrank rapidly, owing to the growth of Japanese competition and the development of cotton mills in China behind the protection of a rising tariff. British exports of machinery increased, but did not compensate for the loss of the textile trade. The inter-war period also saw the doubling of British business investments in China, owing to the establishment of factories, mines, etc. The chapters on the period since 1937 show in great detail the slow but growing success with which Japan was beginning to exploit North China. The final chapter has some shrewd observations on the Japanese economic system and the merits and demerits of the special privileges enjoyed by foreigners in China.

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University of Minnesota.

The Road to Teheran. By Foster Rhea Dulles. (Princeton: Princeton University Press. 1944. Pp. vii, 279. $2.50.)

Russia and the United States. By Pitirim A. Sorokin. (New York: E. P. Dutton and Company. Pp. 253. $3.00.)

The revival of the historic friendship between the United States and Russia symbolized by the Teheran meeting of President Roosevelt and Premier Stalin has led many to hope that a more general and enduring peace may rise on the basis of this accord. In this hope, Foster Rhea Dulles and Pitirim A. Sorokin have undertaken to review and analyze the peaceful relationship which has persisted between the two countries for a century and a half. Both authors have, in quite different ways, attempted to answer the questions: Why has unbroken peace been possible for such a long time, and what significance has this harmonious relationship for the future?

In *The Road to Teheran,* Professor Dulles has given us a factual review of the diplomatic relations between the two countries, with a generous body of illustrations culled from the contemporary press indicating the American attitude towards Russia. This is the first such treatment covering the entire period from 1781 to 1943, but it is no tedious diplomatic history recording in meticulous detail every official exchange of notes. Many interesting episodes suggest analogies to the recent past, but happily the author has left this task largely to the reader. Recognizing that the political systems of the two countries have always been at opposite poles, a fact which has produced periods of dangerous ideological conflict, the historical review nevertheless reveals that the foreign policies of the two nations have run along parallel lines. Passing reference is made to the similarities between the Russian and American peoples and to the respective continental position of the two nations. But, more fundamentally, their interests have been very much the same and the threats to those interests have arisen from the same quarters. Thus Professor Dulles finds that during the greater part of the nineteenth century Russian aims coincided with those of an emergent America in opposition to Great Britain and in the desire to uphold the freedom of the seas. Common objectives of trade and commerce have also served to bring about a "parallelism" in policy. Finally, the two powers have twice found themselves arrayed against a common enemy in war. Little more than this can be inferred from the story of Russian-American relations, yet it is the history of a friendship based upon the realistic appraisal of each nation's national interest. Similar harmony may be expected in the future if equally realistic judgments are made, although responsibilities henceforth will be international in character and not solely national.

Professor Sorokin, in *Russia and the United States,* also finds that the two nations have had common interests in the past and that in the future their whole-hearted coöperation is not only possible but essential. His book is a study with a thesis, *par excellence,* in which an interesting body of Russian experience is presented to substantiate the argument. He also draws upon his previous extensive work, *Social and Cultural Dynamics,* for detailed proof regarding many of the broad generalizations developed here. Maintaining that a false view prevails regarding the excessive autocracy of the Czarist régimes, he points out that many areas of Russian life have been essentially democratic since the reforms of the middle of the nineteenth century. The Russian Revolution, he believes, has entered its "post-destructive" phase, and during the past decade we have witnessed in the Soviet Union a return to and a perpetuation of the vital, democratic trends in Russian national life. This is in line with his theory that only the moribund is finally cast overboard in any revolution. Then the lengthy demonstration follows showing that the two nations possess striking similarities geopolitically, psychologically, culturally, and socially. The author believes that these mutually congenial qualities have meant the difference between war and peace and comes dangerously close to an insistence that they may insure continued peace. Since the political and economic systems of the United States and the Soviet Union are again converging, Professor Sorokin is confident of the future—even if we have a continuation of power politics. The reader will find much that is novel in this interpretation. One may question whether the accord between the two nations has been finally tested. Certainly the United States has not ranked as a world power for a century and a half, nor can we rule out the possibility of altered power relationships that may produce clashes which no socio-cultural similarities can check.

GRANT S. MCCLELLAN.

Foreign Policy Association.

A Symposium on Post-War Problems. Proceedings of the American Philosophical Society, Vol. 87, No. 2, August 16, 1943. (Philadelphia: The American Philosophical Society. 1943. Pp. 198.)

Problems Ahead. BY GUSTAVE HENRY GLUCK. (Privately printed. Sold by Columbia University Press. 1944. Pp. 74. $1.50.)

The approaches of these two volumes to post-war problems are quite dissimilar. The *Symposium on Post-War Problems* considers many aspects of the subject and is limited to general principles, whereas Mr. Gluck deals only with economic questions and is specific in the presentation of a program. Both recommend an extension of internationalism, but not without recognizing the obstacles.

The *Symposium on Post-War Problems* contains the papers read before the American Philosophical Society at its midwinter meeting of February 19–20, 1943. A paper by Professor Franz Boas on "Individual, Family, Population, and Race," read on November 21, 1942, is also included. All of the papers bear directly on post-war problems excepting this one by Professor Boaz and another by Professor Emory Johnson on "Panama Canal Revenues and Finances." The wide range of subjects taken up include economic problems (Alexander Loveday, Robert Warren, John H. Williams), self-determinism (Oskar Halecki), population trends (Frank W. Notestein), the small nations (Halvdan Koht), food (Frank G. Boudreau), post-war planning (Alexander Loudon), and America's relation to internationalism (Guy Stanton Ford). Several of the papers, particularly those by Dr. Ford and Ambassador Loudon, express a strong feeling against isolationism. The nature of the future organization to maintain peace is not given much attention in any of the papers, but there are occasional suggestions on the subject. The principle of regionalism, for instance, is advocated both by Ambassador Loudon and Foreign Minister Koht of Norway.

With a background in international trade and banking, Mr. Gluck states in seven essays his views on post-war reconstruction of the world economy. Conceding that there is little prospect for universal free trade, he nevertheless rejects defeatism and contends that "the first post-war years hold out a rare opportunity for a new departure." Believing that the reconstruction period will decide the world economy of the future, Mr. Gluck offers a plan for economic regionalism. He suggests six regions, each to be presided over by a Supreme Economic Council empowered to regulate trade and payments between member states of the group; and trade between regions would be controlled by the several councils acting coöperatively. In its assumption that a powerful economic organization of this type could operate effectively without the benefit of other forms of international coöperation, the plan overlooks the importance of political developments, and of power politics generally, in the economic relations of nations.

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Road to Peace and Freedom. BY IRVING BRANT. (Indianapolis and New York: Bobbs-Merrill Company. 1943. Pp. 278. $2.00.)

Victory Without Peace. BY ROGER BURLINGAME AND ALDEN STEVENS. (New York: Harcourt, Brace and Company. 1944. Pp. 335. $2.75.)

The first of these volumes is a meaty book. Its 278 pages cannot be read and digested in an afternoon. But it is a good investment of the time of anyone who is concerned about the kind of world we and our children shall live in after the war. The author is convinced that Americans will have a heavy responsibility for what it shall be. "To an extent for which there is no parallel in history, the world's future depends upon what the American people decide to do about it" (p. 12). The choice is between inaction and drift leading to spiritual decay, war, and chaos on the one hand, and "planned determination to organize the future for peace, security, and good living"; and so fast are events moving, and so swift must decisions now be, the choice cannot be made in the accustomed leisurely way.

The basic premise of the book is that an organic change has taken place in the world due to the recent great technological advances, and that it has "destroyed the distinction between national and international affairs. . . ." From this starting point, the author, in succeeding chapters, ranges far and wide. He is perhaps most effective in his treatment of the revolutionary currents flowing in the world today, and his demonstration of the urgent need for their recognition and appraisal. The failure of Americans and their leaders to appreciate these world forces and bring our policies up to date is given special attention in chapters on "American Time Lags," "Our Chaotic Foreign Policy," and "President versus State Department." Some of the counts in the indictment of the State Department may seem too severe to readers conscious of the inherent difficulties of policy-making under the American political system, and also of the chronic isolationist temper of the American people.

Two chapters on "Terms of Peace" and "World Organization" contain proposals which follow logically from the author's preceding analysis. The peace terms should be severe enough to require restitution to nations and peoples whose lands have been stolen and whose liberties have been violated; and all necessary measures should be taken to prevent the enemy from using his resources for a future war of conquest. After this, reliance should be placed "on democratic and peaceable elements in the defeated countries to reshape national thought" (p. 230).

The second of the two books under review presents an old story told in a new way. It records in dramatic fashion the valiant but losing struggle of Woodrow Wilson to win a fair and durable peace for mankind after the victory of arms in the First World War. The historian or political scientist with expert knowledge of the period will find nothing new in this book, and if he is seeking a systematic treatment he will be disappointed. But if he wants the tale cast in the form of a moving drama, here it is, well done from beginning to end.

In the first scene, there is dramatic foreshadowing of things to come. The reader is admitted to a private "reconstructed" conversation between President Wilson and Colonel House in the President's study. It is 1917, several months after the entry of the United States into the war. The Colonel has hurried from the ship which has brought him from Europe to report to his chief how the war goes and what meaning Europeans attach to it, for Wilson wants it to be in reality a new kind of war leading to a new kind of peace. House reports that in liberal and labor circles, in Europe at least, there is the aspiration that the war should have a higher purpose than that of the latest struggle of nations for power and empire, that it should be a war to end war, and to benefit humanity rather than enrich a few. Wilson has tried before to get the Allies, and indeed all peoples, to see the issues of the war in these terms. He is now stirred by fresh determination to make people see this. He moves to the typewriter, and the conversation ends. But eventually he is to spend his strength and exhaust his health in the cause.

In succeeding chapters dealing with the Peace Conference, and with the bitter fight against the President's foreign policy in general and the League of Nations in particular by the President's enemies and isolationist forces at home, the story unfolds. It ends with the brief and poignant address by Wilson, now broken in health but not entirely in spirit, on the porch of his home in Washington, where thousands of men and women had come to pay him homage.

The materials drawn upon by the authors for each chapter are carefully set forth in chapter notes at the end of the narrative. Although chief reliance has been placed on material in the collection of House papers made available by President Seymour of Yale University, the authors have obviously based their story on a wide consultation of the literature of the period and the use of the available documents. A brief, though adequate, bibliography is included.

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BRIEFER NOTICES

AMERICAN GOVERNMENT AND POLITICS

A valuable contribution is made to what we know about judicial review by Oliver P. Field in *Judicial Review of Legislation in Ten Selected States* (Bureau of Government Research, Indiana University, 1943, pp. 81). This monograph summarizes certain aspects of unconstitutional legislation in Colorado, Illinois, Indiana, Massachusetts, Minnesota, New Hampshire, New York, North Dakota, South Dakota, and Wisconsin. Based upon an immense body of data collected at the University of Minnesota through a W.P.A. "white-collar" project, this study analyzes judicial review in these states from a purely statistical point of view. While Professor Field emphasizes the exploratory and limited character of this pioneering study, it does yield a number of significant generalizations. His statistics show, for example, that there is no close correlation between the party affiliations of the judges and their decisions on constitutional questions. Statutes were held invalid in 15 per cent of the cases in which the issue of constitutionality was raised. Judicial review was more deeply rooted before 1900 than is commonly supposed; the peak in unconstitutional legislation was reached in these states at the turn of the century. It is shown that some 28 per cent of all cases holding legislation invalid involved questions about government (including officers, governmental structure, and relations between units and departments of government); 18 per cent dealt with the courts, 12 per cent with taxes, 18 per cent with business, 8 per cent with property, and 3 per cent with labor. Slightly less than 12 per cent of these cases were initiated by private corporations. Of all cases holding statutes unconstitutional some 23 per cent were decided without the benefit of governmental representation. Only 16 per cent of these suits were started as actions for injunctions; 22 per cent were civil actions, 13 per cent were criminal actions, and 16 per cent were suits for mandamus. The average length of time elapsing between the enactment of the statute and its invalidation was 7 years, 6 months. Some 30 per cent of the invalid statutes were held to be in violation of state constitutional provisions dealing with legislative procedure and special and local laws. Some 16 per cent of the cases were decided by a divided court, and only 5½ per cent by a bare majority of the court. The lower court was reversed by the appellate court in about half of the cases holding statutes unconstitutional. It would seem that the most valuable contribution made by this study to our understanding of the operation of judicial review is in the field of judicial procedure. On this point Professor Field's monograph yields definite conclusions. He writes: "Constitutional litigation is a phase of private litigation under our common-law techniques and procedures. To leave it on this basis involves too much of the accidental and too little of the considered public interest or public policy. . . . Constitutionality is a public problem as well as a private problem." This monograph is required reading for all serious students of American public law.—DAVID FELLMAN.

In *The Movement for Municipal Home Rule in St. Louis* (University of Missouri Studies, 1943, pp. 138), the author, Thomas S. Barclay, explains that the inspiration for the treatise came from his contact with Professor Howard Lee McBain at Columbia University. The study is wholly historical, tracing the evolution of the long, unhappy relations of the city of St. Louis with the county and state governments down to the incorporation of the home rule charter provisions in the Missouri constitution of 1875. From the admission of Missouri to the Union in 1931, the city of St. Louis was the victim of an ever-increasing volume of special legislation, some of which was enacted almost every year at the behest of various pressure groups within the city. The situation was further complicated by the fact that a county government was superimposed upon the city government, which made the struggle for municipal home rule both long and severe. The author rarely comments on the workings of the home rule system in Missouri subsequent to 1875. He does, however (p. 114), declare that there were so many ambiguous provisions in the home rule charter clauses of the constitution that the subsequent judicial interpretations of these provisions designed to subordinate the city to the state "were not altogether satisfactory." Most of the materials for the monograph were taken from the newspaper files of St. Louis and the debates of the constitutional convention of 1875. Sketches and portraits of the leaders in the struggle to free St. Louis from the county court and the ever-meddling state legislature are also included.—FRANK E. HORACK.

Shortly after the election authorizing the selection of delegates to a constitutional convention, the State-Wide Committee for the Revision of the Missouri Constitution made arrangements with various groups in the state to prepare, by factual research, materials needed by the convention. Dr. Martin L. Faust, of the University of Missouri, assumed responsibility on behalf of that institution for the coördination of the work which was undertaken by it and by qualified men in other educational institutions of the state and in the Bar Association. As a result, there was published a series of factual studies, *Manuals for the Constitutional Convention of Missouri* (University of Missouri, June-September, 1943). The eight studies, each of which is called a manual, deal with the organization of the convention, county government, federal-state relations, the executive, education, the legislature, bill of rights and suffrage and elections, and the amending process and the initiative and referendum. In so far as was possible, the contents of the studies follow somewhat the same pattern. The manuals contain excerpts from the journals of earlier constitutional conventions in Missouri and in other states (especially New York and Illinois) which indicate the consideration given to these topics on these previous occasions. Comparative analyses of the appropriate sections of current state constitutions have been compiled, and attention is drawn to the corresponding sections of the Model State Constitution. As indicated above, the studies are factual in character; no "plans" have been suggested. In the introductions and summaries, however, the authors point out problems and alternatives which the convention must face and determine. For example, in the manual on the executive it is stated that the convention will have to provide either for the freezing of the administrative departments in the constitution, for leaving them entirely to the subsequent action of the legislature, or for the use of an administrative code to stand somewhere between the constitutional provisions and a statute. Again, in the discussion of the organization and work of the convention it is shown very clearly that there is some definite correlation between the speed with which a convention is organized and the dispatch with which, it completes its work and the favorable public consideration of its finished product. The subject-matter of these studies has been well chosen. Some of it serves to indicate the pitfalls in the past in convention organization and procedure, and some points to progressive trends in constitution-making. By and large, these manuals represent a very important piece of preliminary work of a pre-convention character which has been planned and carried out by persons not only familiar with details of constitutions, but also possessing a knowledge of the fundamental principles of constitutional law of the states.—William H. Combs.

A recent issue of the *Univerity of Tennessee Record* is the "Proceedings of the Fourth Annual Southern Institute of Local Government" (1943, pp. 84). The Institute, held in Chattanooga in November, 1943, was attended by local officials and other interested persons from Tennessee and elsewhere, and formal addresses were made by several persons of national standing. One such address was delivered by Walter H. Heller, of the U. S. Treasury Department, on "The Coördination of Local, State, and Federal Revenue Systems." Of special interest is the recommendation of Mr. Heller regarding the establishment of a Federal-State Fiscal Authority to further coöperation between the two levels. The Institute is a praiseworthy undertaking and its proceedings are well worth publishing. Another recent issue of the *University of Tennessee Record* is Paul Barnett's "An Analysis of State Industrial Development Programs in Thirteen Southern States" (1944, pp. 60). This study deals with state advertisement and promotion in the Southern states from Virginia to Texas and Oklahoma. The heart of the monograph is composed of a brief analysis of the programs currently in progress in each of the thirteen Southern states. In his concluding chapter, the author attempts to summarize and evaluate the effectiveness of programs designed to bring new industries to the region. He concludes that carefully planned and adequately financed long-run industrial development programs offer promise of sufficient success to warrant their vigorous prosecution. He suggests research to discover resources, contact work to locate prospects, and modern methods of promotion and selling.—Joseph M. Ray.

Labor historians and trade unionists will find Howard L. Hurwitz' *Theodore Roosevelt and Labor in New York State, 1880–1890* (Columbia University Press, pp. 316, $3.75) well worth serious consideration. Hurwitz has analyzed a mass of correspondence and other unpublished material and welded it into a compact, well-written history of organized labor in New York State. The study is primarily a scholarly effort to evaluate the relationships between Roosevelt and labor during his political career from assemblyman to the governorship. In doing this, Hurwitz provides, as well, a quite complete history of labor-management and labor-government relationships. Hurwitz' cautious exposition of Roosevelt's philosophy on labor legislation and his attitude on the rôle which government should play in an economic conflict situation will interest the political scientist. The study is exhaustively documented and contains an excellent bibliography. The author succeeds in large measure in his effort to present a complete, unbiased picture of a man about whom most people have rather definite opinions one way or the other. It appears clear from Hurwitz' research that Roosevelt cannot be glibly catalogued as either "pro-labor," or "anti-labor." Although he never won the confidence of organized labor, he fought for improved factory working conditions and did much to eliminate the evil of "home work" in crowded tenements. On the other hand, he was quick to use police and troops to quell labor upheavals during his terms as police commissioner of New York City and as governor. He opposed wage and hour legislation and, for the most part, had little use for the leaders of organized labor. It is quite possible that Roosevelt's "economic royalist" background prevented him from studying the causes underlying the serious labor violence of this period. Students of Rooseveltiana will, of course, be particularly interested in Hurwitz' analysis, but his book may be read with great profit by all students of contemporary labor problems.—Harold W. Davey.

Students of the relationship between organized labor and government agencies should welcome Almont Lindsey's *The Pullman Strike* (University of Chicago Press, pp. 385, $3.75) as an excellent study of the American Railway Union's famous nation-wide walk-out. Lindsey has analyzed the 1894 strike in all of its ramifications and has synthesized in temperate fashion a wealth of background material hitherto unexamined. The Pullman Company's experiment in paternalism is given considerable attention, and is shown to have been a prime factor in producing the strike. Many industries that practiced paternalism unwisely during the 1920's might have avoided some of their more serious errors if they had studied the dismal failure of Pullman's "company town." The chapters on the federal government's rôle in breaking the strike and the detailed treatment of the policies of various state governors and local government officials should prove of great interest to political scientists. The labor injunction's use against Eugene Debs and his cohorts and the activity of federal troops and state militia are carefully delineated. The author has done a thorough, scholarly job, and the study is well-documented throughout. Under present wartime conditions, when many in high places are urging the imposition of martial restrictions on organized labor, *The Pullman Strike* makes very pertinent reading. It shows clearly the long-run ineffectiveness of force as an instrument for quelling labor upheavals. Rather, one is led to the conclusion that an elimination of the conditions provoking labor's resort to pressure will have a more enduring and salutary effect than the weapons of the past century, such as federal troops, state militia, and the labor injunction.—HAROLD W. DAVEY.

In *County Government in Illinois* (reprinted from Twenty-Third and Twenty-Fourth Annual Reports of the Illinois Tax Commission, Assessment Years 1941 and 1942, pp. 132), prepared for the Illinois Tax Commission, Clyde F. Snider has provided a survey of the legal basis, powers, and existing organization of the county in that state. The reason for the preparation of this monograph evidently limits it to an analysis of the existing law and, to some extent, existing practice. Hence, the presentation tends to be rather formal in character. The study is primarily descriptive, although at some points criticism of structure or practice is offered. After an interesting historical survey. Dr. Snider discusses with care and accuracy the legal nature of the county, the framework of government, county functions, and county finance. A final chapter is devoted to the forest preserve districts and the tuberculosis sanitarium districts. It is evident from this survey that Illinois suffers from the usual troubles of county government; non-integrated as to both structure and function, the county appears as a sort of hybrid Roman-Indian god with two faces peering in the opposite directions of increasing local functions and transfer of functions to the state, equipped with a multitude of arms and hands engaged in everything from the assumption of a purely contemplative pose to active manipulation of the cash-box.—LEE S. GREENE.

Of decided current interest to students of local administration is *Police Administration in an Indiana Defense Community* (Bureau of Government Research, Indiana University, pp. 52, free upon request), by John E. Stoner and Oliver P. Field. The study is one of a series devoted to an examination of the administrative services of the defense "boom town" of Charlestown, Indiana. The impact of the host of workers, with or without their families, upon communities chosen for munitions or for military or naval training establishments has strained the service facilities of communities throughout the country. This instance is believed typical of the situations created in smaller communities, for here the workers alone have exceeded the 1940 population of the entire county (31,020), and by more than thirty-fold that of the little municipality of Charlestown (939). Devoted to the specific problem of police administration, this study sets forth the normal police facilities of the community and the baffling burden placed upon them, together with the story of developing a coöperative and adequate force with which to meet the problem. The splendidly equipped and staffed state police system and the Federal Bureau of Investigation are shown to be major factors in developing and maintaining adequate law enforcement and crime prevention. The tabulation of arrests and types of offenses illustrates the efficacy of the program by the fact that the greater portion of these were of a type which might be termed "minor." If the

Charlestown experience is typical, the severe test of law-enforcement facilities in defense congested areas may result in notable improvement of police services in smaller communities in the post-war era.—DAVID WILBUR KNEPPER.

In *A Modern Foreign Policy for the United States* (Macmillan Co., 1944, pp. viii, 94, $1.35), Joseph M. Jones, would have the United States participate wholeheartedly (with Britain, Russia, and China) in a "nucleus of world order," "protect and extend the principle of freedom in the world," "make adequate provision for international control over civil and military air power everywhere in the world," and "promote, wherever in the world it is desired, steady expansion of economic activity, a rising standard of living for the masses, and expanding programs of public education, health and nutrition as indispensable to democracy and peace." For these ends, he views the State Department as enmeshed in protocol and precedent, perpetuated by a staff of over-cautious, cynical compromisers (to whom conservatism is a prime virtue), out of touch with both Congress and American public opinion. Democracy everywhere is urged as a *sine qua non* of world peace, which must be "maintained in a vigorous, living, growing state, protected and extended in the world" (p. 14). "The moment is ours. . . . Our stockpile of moral prestige, precious and irreplaceable, will vanish quickly (one wonders how large it actually is) unless we cease treating with nations on the basis of expediency and adopt a modern foreign policy" (p. 33). The Postscript should have been incorporated into Chapters I and II for unified presentation of subject-matter.—W. LEON GODSHALL.

The Pittsburgh Housing Authority (Pennsylvania State College, 1943, pp. 86), by M. Nelson McGeary, is an account of the organization and activity of one of the country's most successful local public housing agencies during its first six years and gives a good picture of the evolution of policies and practices in pursuance of a relatively new governmental function. Out of discussion of various "differences of opinion" between the local housing authority and the United States Housing Authority (now the Federal Public Housing Authority), Mr. McGeary draws the conclusion that a desirable degree of autonomy for local authorities has not yet been achieved. The author infers that decentralization of authority always will be difficult while the federal government is a source of financial aid. He does not point out specifically, however, that the development of more local autonomy in public housing has been rendered difficult by the ownership and operation of housing by the supervising federal agency. In considering the author's aforementioned conclusion, it is encouraging to note that both FPHA and local housing authorities are well aware of the lack of balance of authority between them, and that continued progress toward greater local freedom is constantly being made.—EDMOND H. HOBEN.

Of a quality comparable with other recent studies on Alabama affairs is Hallie Farmer's *The Legislative Process in Alabama: Legislative Apportionment* (Bureau of Public Administration, University of Alabama, pp. iv, 40, free upon request.) This monograph reviews the principles and practices of legislative apportionment in the United States and analyzes the apportionment practices of Alabama down to 1940, including the picture reflected by the census data of that year. The author's use of population and finance data is particularly clear. Recent efforts for reapportionment and the outlook for the future are discussed in some detail, with the conclusion that the necessary shifts in state economy which serve to generate sentiment for changes in the status quo will be slow and subtle. This study should be of interest to students of state government in that the techniques described can be adapted to other states where the existence of legislative "rotten boroughs" will no doubt be revealed.—DAVID WILBUR KNEPPER.

"*Where's the Money Coming From?*" (Twentieth Century Fund, 1943, pp. ix, 179, $1.00) is, of course, what everyone wants to know. Stuart Chase's little book with that title is the third in a series of six being published by the Twentieth Century Fund on the general theme, "When the War Ends." The glimpses afforded into the possible solutions of the problems of post-war finance are positively exciting. The style of Stuart Chase's writing, like "the testimony of the Lord, is sure, making wise the simple." And we might as well add—making simple the complex. Certainly his genius for exposition never fails in the fifteen chapters of this book. Some of the subjects considered are "Post-War Goals," "The Circuit Rolls," "Facing the National Debt," "When War Spending Stops," "Social Security," and many others, especially "Full Employment."—JOHN G. HERNDON.

In *Walter Clark: Fighting Judge* (University of North Carolina Press, pp. x, 278, 1944, $3.00), Aubrey Lee Brooks, a North Carolina lawyer, offers a friendly and conventional biography of an unconventional judge, who was an associate justice and chief justice of the North Carolina supreme court for thirty-five years, ending in 1924. The fighting judge was a friend of men like the late Robert M. LaFollette and William E. Dodd. In election contests, he was bitterly opposed by corporation interests, particularly the American Tobacco Company and great railroad systems that crossed his state and his path. When he died, a railroad official was reported as saying: "I never attended a funeral with more pleasure." There is much in the book to justify the biographer's dedication, "To the Supreme Court of the United States, which now reflects the views of Walter Clark."—H. C. NIXON.

FOREIGN GOVERNMENT AND POLITICS

The Netherlands (University of California Press, 1943, pp. 464, $5.00), edited by Bartholomew Landheer and made up of contributions by twenty-one authors, is a volume in the *United Nations Series* under the general editorship of Professor Robert J. Kerner, "dedicated to the task of mutual understanding among the Allies." A brief chapter on the geography of the Netherlands is followed by some chapters on the country's history (70 pp.), some on its political and constitutional development (57 pp.), several on economic and social matters (53 pp.), and finally some on various cultural aspects (93 pp.). A second part, largely following the outline of the first, deals with the Netherlands overseas territories (about 100 pp.), and two brief chapters on the Netherlands' rôle in the present war are presented before the ample bibliography and index. In reviewing a book of this type, all one can do—unless he were an expert on *all* the topics treated in the volume and had unlimited space—is to list the chapters and confine himself to a few very general observations. The articles on "Political and Constitutional Development" and "Political Parties," which, together with those on the country's history and economic and social structure, are of especial interest to the political scientist, are well worth reading, particularly the observations on the Dutch experience with proportional representation. On the other hand. the chapter on "Music" seems to be little more than an extended Who's Who. On the whole, however, the editor and authors have well accomplished their purpose of presenting an objective, informative, and readable volume on the Netherlands.—GERHARD KREBS.

The *Studies in Nationality and Nationalism in Poland between the Two Wars, 1918–1939* (Polish Institute of Arts and Sciences in America, 1943, pp. 72) compiled by Konstanty Symonolewicz is a bibliographical survey reprinted from the Institute's *Quarterly Bulletin*. It is restricted to books and articles in Polish, Western European translations being noted. There is a section on nationality studies before World War I, but literature on the Jewish problem in Poland is not included. A commendable effort at classification has been made under the headings of legal, historical, prehistoric, anthropological, linguistic, ethnographic and ethnological, sociological, and general studies. Titles are translated in the text, with the full bibliographical reference reserved for the footnotes, which list well over a thousand studies.—E. C. HELMREICH.

INTERNATIONAL LAW AND RELATIONS

In its symposium on *Regionalism and World Organization* (American Council on Public Affairs, pp. 162, $2.00 paper), the Institute on World Affairs provides the student with essays on various aspects of the problem of regionalism and universalism by six European and three American students, all exceptionally well qualified—though for different reasons—to treat of the subjects which they discuss. The master-topic, the relationship between regionalism and universalism, is discussed first. This is followed by two papers emphasizing universal aspects of the problem, and then by four papers rather emphasizing regional solutions. Finally come two papers on population problems which are not very closely related to the main issue, but which explore with penetration and force the subject with which they deal. As a matter of fact, it is only in the four papers in Part III of this symposium that one finds any pretense of making a case for regionalism, and in at least one of these the considerations adverse to anything in the way of regional unions are stated with great acumen. On the other side, the case for universalism appears strong but strangely pointless—as though one should contend that peace and order are good things. What is needed is probably not a symposium on the subject, but an extended and thoroughgoing study of the conflicting ideas and factual considerations by one conscientious scholar. The crucial issues can be dealt with effectively only by close comparison of the results possible from a regionalist as against a universal treatment of certain definite international subjects: armaments, security, pacific settlement, mandates, minorities, health, drugs, child welfare, communications, trade, labor, and so on. These matters are touched upon by the authors in this collection, but only in a rather casual fashion. The problem still calls for further and more searching treatment.—PITMAN B. POTTER.

Twelve lectures on world affairs given at the University of California (Los Angeles), which clearly constituted an excellent series for the summer of 1942, have been edited by Professor Russell H. Fitzgibbon and published under the title, *Global Politics* (University of California Press, pp. xii, 189, $2.50). In book form, and nearly two years after their delivery, these lectures by eleven political scientists, historians, educators, and a geographer present a rather miscellaneous aspect; two chapters deal with European problems, three with Western Hemisphere affairs, three with the Orient, and four with broader, global matters. Students of international organization will note that subsequent events have thus far unfolded more in harmony with the pragmatic expectations of Professor Fitzgibbon's lecture on "Union in the Americas" than in accord with the hope of Dr. C. H. Thurber ("The United Nations as the Nucleus of World Organization"), the brilliant historical interpretation by Professor M. W. Graham ("The Problem of World Federation"), or the able and instructive analysis by the former Czech diplomat, Vlastimil Kybal ("Economic Problems of the Planned Central Europe"). In this series, given under the auspices of the Institute of Political Geography, U.C.L.A., Kybal has clearly illuminated the rôle of geographic factors in Central Europe; and Professor H. A. Steiner has delivered a cogent attack on geographical determinism in his lecture, "The Relation between Geography and Politics." Appropriately enough, geographic factors have been most fruitfully expounded by Professor J. O. M. Broek, of the geography department at Berkeley, in his comprehensive and penetrating studies, "The German School of Geopolitics" and "War and Postwar Problems of the Netherlands Indies." Professor D. W. Rowland has treated a number of "Latin-American Boundary Controversies," and Dean Buchanan has discussed Canadian geopolitical problems. Other lectures are: F. J. Klingberg, "Indian Nationalism"; Yu-Shan Han, "The Coming Order in Eastern Asia," and Lobanov-Rostovsky, "The New Map of Europe." The appended "Bibliography of Political Geography," containing over a hundred titles, appeared in the *Journal of Geography* for December, 1942.—H. SCHUYLER FOSTER, JR.

The monograph, *Intergovernmental Commodity Control Agreements* (International Labor Office, 1943, pp. lviii, 221, $2.00 paper, $3.00 cloth) will be welcome to students of government and international economics. It consists primarily of the complete texts of existing intergovernmental commodity control agreements covering wheat (1942), sugar (1937), tea (1938–43), Inter-American coffee (1940), tin (1942), and rubber (1934). Further documentary material of interest appears in the appendices; for example, extracts from reports and resolutions concerning commodity control adopted by international conferences and committees. The fifty-eight page introduction is a concise and rewarding analysis of international commodity control schemes and their problems. The evolution of such schemes ranges from the earlier private producer types designed to raise prices based on reference to prevailing market prices, to purely intergovernmental controls with increasing emphasis on buffer-stocks (independent of quotas) and ever-normal granary arrangements based on reference to the available supply. Theory, too, is changing along with practice. Official thinking reveals that international commodity regulation is now a generally accepted method for achieving certain ends. Two purposes seem agreed upon: to minimize short-term fluctuations of prices of primary products subject to unpredictable shifts in supply and demand; and to establish a long-range equilibrium between supply of, and demand for, these products, encouraging consumption at fair prices while safeguarding the conditions of work and life for the most efficient producers. Expansion of consumption and restriction of production; effective protection and representation of consumers as well as producers; the criterion of stable supply *and* fair price rather than current price alone; consideration for the over-all economic welfare of producing countries, including security for labor; close coördination of commodity control with other anti-depression policies—these and other principles are partially imbedded in the latest agreements and partially the foundation for future practice. It is important, too, that governments are deemed to be the most suitable agencies for the realization of these enlarged purposes. The International Labor Organization here sets forth its suggestions, based partly on existing trends, partly on desirable developments for the future. It is an imposing contribution. The footnotes to this brief study contain the best bibliography the writer has seen.—Richard C. Snyder.

With the publication of *Coöperative Organizations and Post-War Relief* (Montreal, pp. 173, $1.00), the International Labour Office has made a notable contribution toward the much-discussed problems of post-armistice relief. There are many vexing problems which the United Nations, the UNRRA, and other organizations will have to solve. What are the total relief requirements of Europe and large areas in other continents? What are the particular requirements of specific countries and districts? How can these requirements be met? What machinery of distribution promises to be the most practicable? The book under review offers a valuable contribution to a solution of the latter two problems by suggesting the capacity of producers' coöperatives in North America, South America, and Australasia to supply food and clothing and the capacity of consumers' and producers' coöperatives in needy countries to distribute relief supplies. Part I outlines the political, social, and economic nature and characteristics of the world's coöperative movement on a local, national, and international plane. Particular care is taken to stress the democratic nature of its functions and procedures as compared with free, cartellized, and state-capitalistic enterprise. Both vertical and horizontal developments of the movement are described. Part II surveys coöperative organizations throughout the world, distinguishing sharply between urban and rural types. Part III examines the possible rôle of coöperative organizations in the immediate post-armistice problem of relief. The vast distributive network and the storage facilities in Europe and the coöperative sources of supply outside Europe are discussed. Two points of comment are appropriate. As far as the book consists of a survey of the world's coöperative movement, it probably represents as good a piece of work as can be done under present circumstances. Nevertheless, much of the information will be obsolete or incomplete by the time fighting has come to an end. The loss of storage and distributive facilities and of personnel is likely to be much greater than assumed, although there will be vast differences from country to country. On the other hand, contrary to widespread assumption, the absorption of consumers' coöperatives in Germany and Austria by the Labor Front is not coincident with their destruction.

As far as the coöperatives' possible rôle in post-armistice relief work is concerned, the report is somewhat unsatisfactory. To be sure, the drafting of blueprints is an idle undertaking in view of the uncertainties of the present and the future. But it would have been possible and desirable to outline more specific ways and means by which coöperative organizations could be utilized for the purpose, and functionally coördinated with other public and private organizations. Such coördination has been established by the rationing and distributing systems in several countries of continental Europe, and it seems clear that these integrated systems can be best adapted to the purposes of relief. The value of the contribution coöperatives can make in this respect varies with the density of coöperative undertakings in different countries. In a fourth part, to be published later, the ILO plans to examine the rôle coöperative organizations might play in post-war rehabilitation.—K. E. KNORR.

Most recent books on Latin America have either been "inside" stories of book-manufacturing tourists or more serious accounts of correspondents and newspaper men. In either case, the pressures of the world crisis and the claims of American interests have led to an over-emphasis of the political and economic aspects of the problem of inter-American relations. For this reason, a volume on *Inter-American Intellectual Exchange* (Institute of Latin-American Studies, University of Texas, 1943, pp. 188, no price) will be received with great interest and pleasure by all students of inter-American affairs. The University of Texas is doing more for the development of Latin-American studies in this country than any other institution, and can be proud of having produced this work, which not only is rich in contents, but is also well printed and contains some beautiful reproductions of Latin-American art. The value of this symposium is enhanced by the fact that the contributors include some of the most distinguished names in North and South America. The first part deals with the historical evolution of intellectual exchange in the Americas. Professor Inman's introductory essay in this section is a little masterpiece in itself. Part II deals with philosophy and science. The main article is contributed by Professor Frondizi, an Argentine philosopher. In his discussion of "Tendencies in Contemporary Latin-American Philosophy," he emphasizes particularly the philosophical ideas and movements in Argentina and Mexico, the two Latin-American nations in which the study of philosophy has found its most mature development. Names like José Vasconcelos or Alejandro Korn are of interest to students of politics because a good deal of the conflict of political ideologies is carried on in philosophical terms by the dominant schools of positivism, neo-Thomism, and idealism. Part III takes up the reasons for the need of cultural understanding between the Americas. Part IV is of paramount interest, as it discusses history and the teaching of history north and south of the Rio Grande as a vehicle of intellectual interchange. All in all, the volume has real interest for anyone who thinks of inter-American relations in broader terms than as a mere phase of United States foreign policy.—WILLIAM EBENSTEIN.

Textbooks at the undergraduate level ordinarily tell in an unexciting fashion the salient facts about some more or less arbitrarily defined segment of human knowledge. This is perfectly acceptable in the case of the familiar major divisions of the traditional disciplines. When, however, a textbook appears on *Pan-American Economics* (John Wiley and Sons, 1943, pp. v, 479, $3.50), by Paul R. Olson and C. Addison Hickman, it is fair to ask whether this is a legitimate subdivision of undergraduate instruction. Is it a precursor of textbooks on "Pan-American Political Science," "Pan-American Education," or "Pan-American Entomology"? The college sophomore's ignorance of things Latin American is so great that a work as specialized as Olson and Hickman's seems ill-designed to make up for the deficiency. For the advanced student, on the other hand, who possesses the historical and geographical knowledge to cope with Latin-American economic problems, the present work is too diffuse and too elementary. This volume is a competent compilation of the data available in English on the foreign trade of Latin America, the future of foreign capital investment in the area, and the prospects for an intensified economic relationship between the area and the United States. The volume is almost wholly descriptive. In fairness to the authors, it should be said that they specifically disclaim advocacy of policy based solely on the economic data presented. Perhaps they thereby recognize the unreality of a program of systematic instruction within the limits here set. The field is at once too broad and too narrow, too broad because of the heterogeneous character of the data, too narrow because the data do not of themselves provide the solution to any problem. A bibliography of thirty pages contains reference to no works in Spanish and to only two in Portuguese, both statistical atlases. From the pedagogical point of view, an attractive feature of the book is the inclusion of many clear and informative charts, and from the reference point of view, the statistical appendices enhance the publication's value—WILLIAM T. R. FOX.

American Military Government of Occupied Germany (Washington: Government Printing Office, 1943, pp. 365, $0.40) provides information on American and Allied military administration in the Rhineland after the First World War, as well as related material on German and international affairs during the Armistice period. Despite a weak literary style and organization, the report presents valuable data. Although unprepared for civil administration, the American Third Army entered the Southern Rhineland to enforce the Armistice on Germany and to insure her signature of the peace to follow. No officers with industrial experience, and few with legal training, were attached to this Army. "In all this force, with the exception of perhaps a half-dozen men, there was probably no one who had the faintest conception of the German governmental system. . . . The Second Section of the General Staff . . . prepared a pamphlet dealing with this subject, but its material was antiquated and its treatment inadequate . . . this pamphlet . . . constituted for both staff and unit commanders their sole source of information in regard to the government" (p. 65). Realizing that "an occupying army in a defeated country is making history which is bound to be written" (p. 100), we imposed military government in the spirit of Army General Order 100 (1863). The report decries America's small financial profit from the occupation, and suggests its abandonment. Fear of Bolshevism, and evidence of its strength in Germany, is emphasized. Originally, our civil affairs officers served with tactical units; later, they were given territorial assignments and placed under command of the Officer in Charge of Civil affairs of the Third Army. This territorial administration exactly paralleled existing levels of local government, and provided effective control over the German imperial bureaucracy, which was retained in office. "The German conception of civil government, moreover, is itself a military one. All officials are primarily concerned with transmitting the orders of the central government, and exercising such supervision as is necessary to assure their execution. Important officials are appointed by Berlin and their tenure does not in any way depend on local popularity" (p. 276). The military government had under its supervision and control all local government and administration, besides duties imposed by the sixteen Armistice commissions, by military command or necessity. A chapter on Allied practices and German government in Belgium provides comparisons. The British, French, and Belgian governments of occupation contained economic sections charged with promoting export trade to Germany. France had a section for propaganda and the press. Belgian local administration was supervised by German civil servants acting under the Governor-General. Although the American military government was guided on general principles by Marshal Foch and the Armistice commissions, it found itself at variance with French and Belgian policies aimed at retarding German industrial reconstruction and export trade. Ample evidence of French support for the abortive Rhenish separatist movement of Dr. Dorten is provided. America's military experience in civil affairs during the watch on the Rhine should prove valuable in meeting similar responsibilities again.—JOHN M. SELIG.

Economic problems have played an important part in military occupation in the present war, and will be of increasing importance as more territory is occupied. In *Economics of Military Occupation* (Foundation Press, 1944, pp. xii, 141, $1.25), Henry S. Bloch and Bert F. Hoselitz point out the importance of economic questions in military occupation, the practices and policies of both the Allies and the Axis, and the problems we will meet as we occupy the Axis countries themselves and also countries which the Axis forces have overrun and occupied; and finally they evaluate the results and effectiveness of various policies. Military currency, exchange rates, banking, taxation, price control and rationing, and production control are considered. Some of these problems arise in any war economy, but the authors are concerned with them as they arise under military occupation. The economic techniques used by the Axis to exploit occupied areas, often under some guise or cloak of legality, will make the task more difficult. Restoring the economy of the area and carrying out our economic policies are complicated by what the Axis has already done in the areas they have occupied. Much of the discussion in the volume is of questions and policies which will be decided by higher authority rather than by the officer in the field. Those at the higher level should find the book useful in pointing out alternative policies and the probable effects of each. The book should be read also by officers who serve in lower administrative positions, since it will give them a better understanding of the policies they are called upon to administer. The material is well organized, the problems are clearly presented, and the judgments expressed are sound.—CHARLES M. KNEIER.

Eight paper-bound pamphlets are included in the series of occasional papers entitled *Administration of Relief Abroad* (Russell Sage Foundation, 1943, $0.20 each), edited by Donald S. Howard. The papers are intended to offer those interested in planning and administering relief abroad a digest of pertinent material obtained, with one exception, from experiences resulting from World War I. For example, one paper, written by James L. Barton, is entitled, *The Near East Relief, 1915–1930;* another written by Henry P. Davison, *The American Red Cross in the Great War, 1917–1919.* Illustrative of the questions raised in the administration of foreign relief and requiring administrative decisions were: If there is a limited amount of materials, what groups of persons should be helped? What adaptations to the culture of the area are desirable and necessary? What use can and should be made of local personnel? What standards of life should govern the distribution of goods? What relations are desirable between private relief organizations and the armies of the various countries? These and many other problems confront Herbert A. Lehman, director, and the staff of the United Nations Relief and Rehabilitation Administration, which had its first meeting with representatives of forty-four countries at Atlantic City in November, 1943, at which time many fundamental initial policies were agreed upon. This set of pamphlets should be helpful to those concerned with the colossal job of administering relief and rehabilitation for millions of homeless and distressed individuals.—HELEN I. CLARKE.

In *Building for Peace at Home and Abroad* (Harper and Brothers, pp. 240, $2.50), Maxwell S. Stewart has summarized many significant programs, drawn up by experts, to achieve two practical goals: the providing of jobs for all Americans who want to work after the war, and the prevention of World War III. As associate editor of *The Nation* and editor of *The Public Affairs Pamphlets*, the author is well qualified to select pertinent material and present it effectively. After reviewing chaos at home and abroad as caused by economic maladjustment and war (six chapters), the author considers (1) food for the hungry, all over the world, and (2) jobs to be done at home which should provide for all Americans adequate shelter, clothing, health, and education. These goals, he believes, can be achieved through the production of delayed goods, new industrial output, renewed foreign trade, and public works to employ everyone else. In Chapter XII, the question "How Can We Pay the Bill?," is answered in terms of an enlightened tax program, free from political pressures, which will stimulate business activity and general prosperity. If our national income is maintained at a high level, he sees no danger in a national debt of even 250 billion dollars. Chapters XIII–XVI develop the importance of world economic reconstruction and the necessity for world organization to keep the peace among nations. Chapter XVII, "What You Can Do," concludes the discussion with the familiar admonition that Americans must assume the responsibilities of democracy by becoming informed and concerned about domestic and international programs for a peaceful, prosperous world. Citizens must use the ballot intelligently to avoid losing the peace. Many pictographs emphasize the inextricable relationship between domestic and international problems and their satisfactory solutions. More than seventy titles are listed as reference materials. In the appendices, six quotations support the thesis that post-war reconstruction must be largely under governmental direction and in close connection with world rehabilitation.—MONA FLETCHER.

Proceeding from the sound premise that the failure of the League of Nations "was not so much the fault of the machinery . . . as it was of the people . . . who had to make the machinery work," Philip Curtin Nash, in *An Adventure in World Order* (Beacon Press, 1944, pp. x, 139), proposes certain procedural and jurisdictional innovations calculated to be more effective. The United Nations Constitution establishes a "capital" wherein may be located "powerful radio receiving and sending apparatus, airplanes, their fields and hangars, troops, military equipment," and other needed facilities for carrying out United Nations' purposes. An "Executive Board" supplements an Assembly of about 270 (presumably elective) and an appointive Council of one member from each nation. A secretariat, a court, a police force, the International Labor Organization, and numerous special commissions are provided. The style of writing is direct and simple—sometimes too simple, *e.g.*, "the United States wanted to duck out of the mess, never get entangled again, and let Europe stew in her own juice" (p. 5), and "every isolationist Senator will raise a terrible protest" (p. 68). Appendices comprise the Four Freedoms, Atlantic Charter, Fulbright Resolution, Catholic, Jewish, and Protestant Declaration of World Peace, Moscow Statement, Connally Resolution, Teheran Declaration, and Address of Pope Pius XII on Christmas Eve, 1943.—W. LEON GODSHALL.

Denna F. Fleming's *While America Slept* (Nashville, Tenn.: Abingdon-Cokesbury Press, 1944, pp. 269, $2.00) consists of a series of weekly radio addresses on current problems of American foreign relations delivered in the period from May, 1940, to December, 1941. Interspersed between the lectures are short paragraphs recounting the significant events of the time. The purpose of the addresses, as indicated by the author in the preface, was "to portray the forces which were driving us to war against our will and to describe our stake in this conflict." Mr. Fleming's position was that the Axis states were bent on world conquest, that isolation for America was impossible, and that it was vital to our own interests to support victims of Axis aggression. This theme runs through the book, thus binding together what otherwise might have been a disconnected series of lectures. The author's method was to analyze selected pending issues—such as the enactment of the Lend-Lease Bill—or to cite and refute arguments of such men as Wheeler, Lindbergh, and Hoover. The book has three primary values. It aids the reader to recapture the spirit of the "greatest debate in our history." It renews belief in the inevitability and necessity of American participation in the war, and consequently inspires continued vigorous support of the war effort. And it provides an analysis of the lasting principles on which world order and the American relationship to it should be based.—VERNON VAN DYKE.

In the "war-time edition" of *Union Now* (Federal Union, 1943, pp. xx, 271, $0.35), Clarence K. Streit continues, none too hopefully, his crusade on behalf of world government. The content is little changed from the "concise edition" of 1940. New materials include two concluding sections in which the author notes the improving military position of the United Nations and urges the immediate creation of a federation by ten democracies, chiefly Anglo-American, situated in the North Atlantic area. Such a federation should be expanded, as circumstances permit, to include other nations. In a new introduction, it is bluntly stated that the democracies are not now following a road toward peace. Let the people understand the ominous truth: "Victory must be disastrous if it is victory really for the anarchy of national sovereignty among the democracies." Streit's plan may be the most satisfactory approach toward peace; it is likewise the most revolutionary. And, thus far, signs of revolutionary forces have not been impressive.—G. Leighton LaFuze.

Lord Hailey's essay, *The Future of Colonial Peoples* (Princeton University Press, 1944, pp. 62, $1.00), deserves attention because it was written, at a strategic moment, by a prominent member of Britain's older generation of overseas administrators. Lord (then Sir Malcolm) Hailey first went to India in 1895 as junior member of the Punjab Commission. When he left the post of governor of the United Provinces in 1934, he declared: "I have all my life followed what I believe to be the liberal tradition in politics." In the later 1930's he directed the monumental "African Survey," a thorough "study of problems arising in Africa south of the Sahara." *The Future of Colonial Peoples* discusses various techniques of colonial government and what the author considers the advantages of the British system over the systems of other nations (France, Belgium, Holland, Portugal, and the United States). The slender volume may be taken as a non-official answer to the British war-time critics of British colonial rule. Whereas it does not mention the critics by name, it does not altogether deny the validity of their arguments, and it ends by cautiously advocating a slow evolution toward more self-government and by admonishing the colonial peoples to become worthy of it. The casual, detached tone and the absence of attempts to deny or to apologize for the shortcomings of colonial rule indicate the author's belief that there will be few fundamental changes in the political and governmental structure of the colonies within the near future.—Hans Ernest Fried.

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